

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

RUTH V. BRIGGS, .
 . Case No. 1:16-cv-248
Plaintiff, .
 .
vs. . 601 Market Street
 . Philadelphia, Pennsylvania 19106
 . July 17, 2018
 .
TEMPLE UNIVERSITY, .
 .
Defendants. .
.

TRANSCRIPT OF TRIAL
DAY 2 - P.M. SESSION
BEFORE THE HONORABLE ROBERT F. KELLY
UNITED STATES DISTRICT JUDGE
AND A JURY

APPEARANCES:

For the Plaintiff: Laura Carlin Mattiacci, Esq.
Stephen G. Console, Esq.
Rahul Munshi, Esq.
CONSOLE MATTIACCI LAW, LLC
1525 Locust Street
Philadelphia, Pennsylvania 19102

For the Defendant: Richard R. Harris, Esq.
Rachel Fendell Satinsky, Esq.
LITTLER MENDELSON, PC
1601 Cherry Street, Suite 1400
Philadelphia, Pennsylvania 19102

Audio Operator: Electronically Recorded
by Court Personnel

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Advanced Transcription
1880 John F. Kennedy Boulevard
6th Floor
Philadelphia, Pennsylvania 19103
(855)204-8184

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1 AFTERNOON SESSION

2 (Proceedings resume after Luncheon Recess at 1:06 p.m.)

3 (Call to order of the Court)

4 (Jury present)

5 THE COURT: You may be seated. You may be seated.

6 All right. You may proceed.

7 MR. HARRIS: Thank you, Your Honor.

8 RUTH BRIGGS, PLAINTIFF, PREVIOUSLY SWORN, RESUMES STAND

9 CROSS-EXAMINATION

10 BY MR. HARRIS:

11 Q Ms. Briggs, do you recall testifying at a deposition in
12 this case on May the 5th -- May 25th -- excuse me -- of 2017,
13 which was a year ago?

14 A Yes, I do.

15 Q Okay. And do you recall being asked by counsel seated
16 next to me, Ms. Satinsky, a series of questions, specifically
17 dealing with the discipline you received while you were an
18 employee at Temple University?

19 A I'm not sure exactly which one you're talking about, but
20 can you tell me specifically?

21 Q Well, just generally.

22 A Generally, yes.

23 Q Do you recall her asking you:

24 "It's my understanding, we've listened to testimony
25 from several witnesses who said and provided evidence that

1 you received discipline on four separate occasions while you
2 were under the leadership of Dr. Wu."

3 A That is correct.

4 Q That's correct.

5 A Yes.

6 Q And you recall being asked by counsel, Ms, Satinsky,
7 several questions regarding each individual discipline.

8 A Yes.

9 Q You do recall that.

10 A I -- well, I'm not sure exactly what you're talking
11 about, but I know that she asked me questions about them,
12 yes.

13 Q And you were under oath.

14 A Yes, I was.

15 Q And this was actually a videotaped deposition, was it
16 not?

17 A Yes, it was.

18 Q And do you recall where it was?

19 A It was in their -- her office.

20 Q Okay. And you were seated there, at the deposition,
21 with your counsel, correct?

22 A Yes, I was.

23 Q Mr. Munshi.

24 A Yes, sir.

25 Q Okay. And do you recall being asked about your

1 experience, specifically, how you felt when you were moved to
2 the tenth floor?

3 A Do I recall what I said or can I --

4 Q Yes. Do you remember what you said then?

5 A Not exactly, word for word, but I could probably -- I
6 remember saying that it was -- I was embarrassed, first, by
7 the move, but then relieved to be away from the -- the
8 tension and the stress.

9 Q Do you remember what you said this morning, when asked
10 by counsel how you felt about that experience when you got
11 moved to the tenth floor? Do you remember what you said this
12 morning?

13 A I said I was embarrassed.

14 Q Do you remember saying the word "banished."

15 A And banished.

16 Q Banished?

17 A I -- yeah, and I'll -- I'll stand by that. Yes, I did
18 feel banished.

19 MR. HARRIS: Okay. May the witness be shown the
20 clip on Page 168 of her deposition transcript, starting -- or
21 beginning at Line 4.

22 THE WITNESS: Am I --

23 MR. HARRIS: It's going to go up on the screen
24 shortly.

25 THE WITNESS: Oh.

1 MS. MATTIACCI: Your Honor, may we just have a
2 minute to find it?

3 MR. HARRIS: Sure.

4 (Participants confer)

5 MR. HARRIS: No objection to that, Judge. Take
6 your time.

7 MS. MATTIACCI: What line?

8 MR. HARRIS: Line 4. Page 168.

9 THE WITNESS: Is this it?

10 MR. HARRIS: It's going to come up in a second.
11 Your counsel is actually waiting --

12 THE WITNESS: Oh, okay.

13 MR. HARRIS: -- to find the clip.

14 MR. MUNSHI: Your Honor, we -- if counsel is trying
15 to impeach the witness, we just read the testimony, and I
16 think he's trying to go forward. There is no impeachment
17 here. There is nothing that she said there that's
18 inconsistent with what she said --

19 THE COURT: Well, the jury will decide that/

20 MR. MUNSHI: Okay.

21 MR. HARRIS: Thank you.

22 THE COURT: Proceed, please.

23 MR. HARRIS: Thank you. Could you please show the
24 clip.

25 (Video recording played 11:11:20 to 1:11:55)

1 BY MR. HARRIS:

2 Q You didn't say banished, did you?

3 A No, I didn't. The --

4 Q Okay. But you said you stand by the fact that you felt
5 banished.

6 A I think they both can be true.

7 Q Well, do you recall just saying -- you just saw that
8 clip, correct?

9 A Yes, I did.

10 Q And in that clip, you specifically said that you
11 actually welcomed that you were being moved.

12 A I welcomed being able to work up there, yes, I did say
13 that.

14 Q And --

15 A It was less -- less traffic, less hub --

16 Q Noisy?

17 A Noisy.

18 Q And it was helpful to you.

19 A It was helpful to my performing my job, yes.

20 Q Okay.

21 A That is true.

22 Q All right. Do you also -- okay. Thank you. Do you
23 also being asked [sic] by Ms. Satinsky about the discipline
24 you received regarding Professor Whaley coming to Temple
25 University?

1 A Yes. Yes.

2 Q And I believe that was in Exhibit -- let me look at this
3 one.

4 MR. HARRIS: With the Court's indulgence.

5 THE COURT: Yes.

6 (Pause in proceedings)

7 MR. HARRIS: D-7. And I believe D-7 has already
8 been introduced into evidence. May the witness be shown D-7?

9 THE COURT: All right.

10 THE WITNESS: I see it.

11 (Participants confer)

12 MR. HARRIS: I'm mistaken. D-8.

13 THE WITNESS: I'm sorry.

14 BY MR. HARRIS:

15 Q Do you recognize this document, ma'am?

16 A Yes, I do.

17 Q And this is the suspension -- or the discipline you
18 received -- excuse me -- for failing to book Mr. Whaley's
19 flight arrangement. Yes?

20 A That is correct.

21 Q Okay. And do you recall testifying earlier this morning
22 that you believe how you were treated, as it related to that,
23 was somehow unfair?

24 A Was -- I'm sorry? I didn't hear you.

25 Q Was unfair.

1 A Yes.

2 Q Okay. And specifically, you believe that, unless -- if
3 I understand it correctly, that mister -- or Professor Whaley
4 was supposed to give you some information, and he failed to
5 do so.

6 A There was a back-and-forth of, yes, he -- there was
7 several itineraries that I sent him, and they weren't right -
8 -

9 Q Okay.

10 A -- for him, so I asked Dr. Kwatney -- as I recall, Dr.
11 Kwatney and I talked about, and he said, just ask him if it
12 would be better if he booked his own flight, and we got
13 reimbursed for it.

14 Q And you told Professor Whaley this?

15 A No, I did not. No -- I mean, yes, I did. I told him
16 that that -- I relayed that to him, but I didn't follow up on
17 it, is what I didn't do.

18 Q Okay. Is it your testimony that you relayed to
19 Professor Whaley that he should book his own flight?

20 A That -- not should, that he could, that he could book --
21 book his own flight.

22 Q How did you communicate that?

23 A I believe it was on the phone.

24 Q Not an email.

25 A It might have been an email, too.

1 Q Did you speak to him?

2 A Did I speak to Clint Whaley on the phone, is that what
3 the question is?

4 Q Yeah.

5 A What is the question? I'm sorry.

6 Q You said that you called him, correct?

7 A I did call him.

8 Q And you said that you spoke to him, correct?

9 A I spoke to him.

10 Q Okay. Did you tell him, during the phone conversation,
11 that he could or should book his flight --

12 A I --

13 Q -- and get reimbursed by the University?

14 A I believe it was could, and I didn't get the -- the
15 answer.

16 Q So he never responded.

17 A No.

18 Q What did he say during the call?

19 A I don't recall. And actually, you know what? I -- it
20 might have been an email, so I'm -- I'm not -- I'm not sure.
21 I can't answer with certainty.

22 Q Okay. Was it an email or a phone call?

23 A I'm not -- I can't answer with certainty. It could have
24 been both. I can't answer with certainty.

25 Q You said you had a phone conversation with Professor

1 Whaley.

2 A Yes.

3 Q Did you not?

4 MR. MUNSHI: Objection, Your Honor. He's gone over
5 this three times. She says she doesn't recall specifically.

6 THE COURT: Overruled.

7 THE WITNESS: I -- I -- I can't make something up,
8 I don't --

9 MR. HARRIS: Well --

10 THE WITNESS: I don't -- I don't -- I mean, I --
11 there were numerous times, this went -- went over -- over a
12 month. So there were emails, there were phone calls. And
13 I don't know the -- you know, the exact wording of any of
14 them. And I don't -- I can't recall.

15 BY MR. HARRIS:

16 Q Okay. Do you remember testifying earlier this morning
17 that Professor Whaley was supposed to give you information
18 that you didn't receive?

19 A He was.

20 Q Okay.

21 A But that doesn't make -- that doesn't make me less -- I
22 mean, I was -- should have followed up with him, and that's
23 what I'm -- that is what I'm saying. I took responsibility
24 for that, I should have followed up with him.

25 Q But you failed to do so.

1 A I failed to do so.

2 Q You were expecting him to provide you what information?

3 A That he was coming. I gave him -- that he -- you know,
4 he -- he had reservations at our Conwell Inn on campus.

5 Q Right. You made the reservations.

6 A I made the reservations for him.

7 Q You booked the hotel.

8 A Yes, I did.

9 Q And so you knew that he was coming, and that's why you
10 booked the hotel.

11 A Yes.

12 Q Yes? Okay. So you knew he was coming.

13 A I did know he was coming. Yes, I did.

14 Q Okay. So when you just said, a few seconds ago, that
15 you weren't sure whether or not he was coming, that's
16 inaccurate.

17 A Did I -- I wasn't sure what -- how he -- no, it's not
18 inaccurate. I knew he was coming, of course I knew he was
19 coming. It was my job to -- it was --

20 Q Right. He booked a flight, so he was --

21 A No, I don't know --

22 Q -- (indiscernible) --

23 A -- that he booked a flight.

24 Q -- responsibility for booking --

25 A I don't know if he booked a flight. I didn't book the

1 flight for him.

2 Q But you were supposed to.

3 A I was supposed to arrange travel for him, yes.

4 Q Which includes booking the flight.

5 A It includes booking the flight.

6 Q And you failed to do so.

7 A I failed to do so.

8 Q Okay. Did you also talk to Professor Whaley about why
9 you failed to book the flight?

10 A I did not because I asked Dr. Wu, if I could call Dr.
11 Whaley and apologize, and I was told I wasn't allowed to.

12 Q So you weren't actually waiting for doctor -- or
13 Professor Whaley to give you the information then.

14 A I was away -- I was off campus. I'm -- I'm sorry. I
15 was totally off campus for a conference, and I didn't -- I
16 dropped the ball. I don't know how else to say that. I
17 dropped that ball.

18 Q Okay. Do you recall testifying that you thought that
19 that discipline was unfair?

20 A I do believe it was unfair.

21 Q You dropped the ball.

22 A I dropped the ball.

23 Q You just testified that you dropped the ball.

24 A Right. I dropped the ball.

25 Q You don't believe that you should get discipline for

1 dropping the ball?

2 A No, I -- I didn't -- it was the severity of the -- of
3 the punishment.

4 Q This wasn't your first discipline, was it?

5 A It was second, third. I don't know.

6 Q Okay.

7 A Second. There were four.

8 Q This was in March of 2013.

9 A So that was the second.

10 Q So it -- the discipline, as you understood it, it's
11 based on matrix, correct?

12 A Yes.

13 Q All right. And so, based on the level of your prior
14 discipline will impact the preceding or following discipline,
15 correct?

16 A I'm not aware if that's how it works. I -- I can't tell
17 you if that's how it works.

18 Q You spoke to HR a litany of times throughout your
19 employment at Temple University.

20 A I sure did.

21 Q Did you also talk to them about your discipline that you
22 received?

23 A Yes, I did.

24 Q And you explained to them that you thought some of these
25 disciplines were unfair.

1 A I thought that was unfair, yes. Three days -- yes.

2 Q And they also explained to you the policy. Do you --

3 A I don't remember anyone explaining the policy to me.

4 Q Did you ask?

5 A Probably.

6 Q And what did they reply?

7 A HR often did not get back to me, I have to tell you.

8 Those emails went out into a black, so I don't -- I can't

9 really say. I did think it was harsh.

10 Q Okay. You recognized that the level of discipline you
11 received was based on the prior discipline.

12 A It was based on the prior discipline, or what -- the
13 action that I was disciplined for?

14 Q The action that you were disciplined for. Yes?

15 A I understand that.

16 Q All right.

17 A But I -- the prior one, I don't know -- I don't know
18 what you're saying about that.

19 Q I'll get back to that in a moment.

20 A Okay.

21 Q Ma'am, as I understand it, your responsibility as the
22 Executive Assistant for Dr. Wu involved being responsible for
23 his calendar, correct?

24 A That is correct.

25 Q As well as making sure that individuals that he was

1 recruiting to come to the University were going to be booked
2 through travel, et cetera.

3 A That is correct.

4 Q All right. And you were also responsible for event
5 planning, as well as other duties, being responsible as his
6 Executive Assistant.

7 A That is correct.

8 Q Were you also responsible for monitoring his emails, as
9 well?

10 A For monitoring his emails?

11 Q Emails, yes. Email traffic.

12 A I couldn't access his emails. What do you mean? His --
13 his email account? I'm not sure I understand the question.

14 Q Yes. The emails that he received, were you responsible
15 --

16 A Oh, from -- from him --

17 Q Yeah.

18 A -- to me? Oh, yes, I was, of course.

19 Q Okay. And then his calendar, you were responsible for
20 holding it and maintaining his calendar.

21 A Yes.

22 Q Setting up appointments for him?

23 A Yes.

24 Q Evaluating and reviewing materials that would go out
25 from the Department of College [sic] of Science and

1 Technology?

2 A From the Department of Computer and Information
3 Sciences, yes.

4 Q Department of Computer and Information Sciences.

5 A Yes.

6 Q Okay. Prior to that, as I understand your testimony,
7 you worked in the same College of Science and Technology, but
8 you worked for the Dean.

9 A That is correct.

10 Q Assistant Deans, as well as the Dean, Dean Klein.

11 A Not -- not Dean Klein. I never worked for Dean Klein.

12 Q Okay. The prior deans --

13 A Dean Dye, yes, I did.

14 Q Okay.

15 A Yes.

16 Q Dr. Dye, Palladino. Yes?

17 A Yes.

18 Q Okay. And you were at Grade Level 26, T-26, I believe.
19 Yes?

20 A That is correct. Yes.

21 Q And that meant -- what's the significance of being a T-
22 26?

23 A I believe it's the first level of -- of management.

24 Q Management.

25 A Yes.

1 Q Okay. And so, as a manager in an administrative role,
2 you were actually the highest ranking administrator in the
3 actual College of Science and Technology during your tenure.

4 A I'm not aware -- I don't know that I was, but --

5 Q Do you recall testifying that you were the only person
6 who was in that department that held an administrative role,
7 that was not part of a union?

8 A You --

9 Q Do you remember testifying to that?

10 A But you asked me about the College; you didn't ask me
11 about the Department.

12 Q Okay. Go to the Department then.

13 A Okay.

14 Q Were you the highest-ranking administrative assistant --

15 A I was -- okay. I don't --

16 Q -- in the --

17 A -- if I was --

18 Q -- Department?

19 A -- the highest level, but I was the only -- I was not a
20 union, I was a salaried employee.

21 Q Okay. As a salaried employee --

22 A Yes.

23 Q -- I think you testified previously that, in fact, you
24 were ranked at a higher or at least the same level as Drew
25 DiMeo.

1 A I know, when Drew first came in, it wasn't at my level,
2 but I don't know what -- if his -- if his changed.

3 Q Okay. Dr. Wu was responsible for approximately 50 staff
4 members, including faculty and staff?

5 A I would say about that, yeah.

6 Q He testified to that yesterday. You don't refute that,
7 do you?

8 A Well, I can't remember exactly how many there were, but
9 it sounds right.

10 Q And he had a multi-million-dollar budget that he was
11 responsible for?

12 A I -- I don't know if he had a multi -- I mean, I know he
13 had the grants, but I don't know if he was responsible for --

14 Q The grants.

15 A -- the grants. So repeat the question again? I'm
16 sorry.

17 Q Yes. He was responsible for overseeing multi-million-
18 dollar grants.

19 A Yes.

20 Q What percentage of Dr. Wu's time was allocated to
21 recruiting faculty members?

22 A Dr. Wu?

23 Q Yes, Dr. Wu.

24 A I -- you know, I don't know. I know -- I -- I couldn't
25 -- I'm not even going to try to guess because I don't know.

1 Q Okay. What percentage of his time was allocated towards
2 overseeing staff?

3 A I don't know.

4 Q How about research?

5 A Probably -- I would say over 50 percent of his time.

6 Q Was spent doing research.

7 A Or -- or supervising his post -- his -- his Ph.D.
8 candidates who were conducting a lot of the research.

9 Q Did he have a teaching assignment?

10 A Did he have? I'm sorry.

11 Q Did he have a teaching assignment?

12 A He -- I think he taught every other semester, yes.

13 Q Okay. So yes. So, between --

14 A Yes.

15 Q -- teaching --

16 A Uh-huh.

17 Q -- overseeing faculty, research, and also overseeing
18 graduate students, that was the bulk of his time.

19 A That was the bulk of?

20 Q Of his time spent.

21 A Yes.

22 Q Okay. I recall you testifying previously that one of
23 the deans said that he wanted you to be the eyes and ears for
24 him, yes?

25 A That was not him, though.

1 Q I understand.

2 A Yes.

3 Q One of the --

4 A Uh-huh.

5 Q -- other deans. Yes?

6 A Yes, that is true.

7 Q Okay. Do you recall what dean that was?

8 A Keya Sadeghipour.

9 Q And do you recall how your performance was under Dean
10 Sadeghipour's leadership?

11 A It wasn't stellar, but it was average, I would say.

12 Q Average.

13 A Uh-huh.

14 Q The Dean after Dean Singapore was whom?

15 A Well, it was the Vice Dean, actually, Palladino.

16 Q And what was your performance under Vice Dean Palladino?

17 A About the same.

18 Q Average.

19 A Average.

20 Q Do you know why you were moved from Dean Palladino to
21 the next dean, which was -- who was after that?

22 A I was --

23 Q Dr. Dye?

24 A Doctor -- no, Dr. Dye and Dr. Palladino came together.

25 But yeah, okay, Dr. Dye. Okay.

1 Q What was your performance under Dr. Dye?

2 A I -- really, Dr. Palladino was the one who did my
3 performance evaluations, so --

4 Q Average?

5 A Average.

6 Q Okay. Do you remember receiving performance
7 evaluations?

8 A Perform -- you mean the -- my evaluations at the end of
9 the year? Yes, I do remember getting them.

10 Q Okay. And you received performance evaluations for
11 every single leader in that department or college, from the
12 time of 2009, up until 2014 -- actually, predating that,
13 2006.

14 A Yeah, okay.

15 Q You do? Yes?

16 A Yes, I did.

17 Q Okay. Do you recall when you actually first started in
18 the College of Science and Technology?

19 A Two --

20 Q I believe it was somewhere around 2004?

21 A Two -- it was March 2004 -- '5 -- '4 -- '5, no it was
22 2005. I'm sorry.

23 Q Under Allen Nicholson's --

24 A Allen Nicholson, yes.

25 Q And what was Mr. Nicholson's role?

1 A He was Interim Dean.

2 Q Do you recall what your performance was between 2004 and
3 2005, under his leadership?

4 A Do I recall? I'm sorry. I'm having a hard time hearing
5 you. I'm sorry.

6 Q Okay. I'll use the microphone.

7 A Okay.

8 Q I apologize.

9 A Thank you.

10 Q Do you recall what your performance was between 2004 and
11 2005, under Dean Nicholson's leadership?

12 A No, I don't -- I don't really call. I didn't recall
13 doing mine because he was there such a short -- I was there
14 such a short time. But no, I -- I don't recall.

15 MR. HARRIS: Okay. May the witness be shown
16 Exhibit D-10?

17 THE COURT: All right.

18 MR. MUNSHI: No objection.

19 THE WITNESS: Is it going to -- are you pulling it
20 up?

21 MR. HARRIS: Yeah. You can look at the screen
22 right in front of you, it should be right there.

23 THE WITNESS: Oh, okay. I see it. Okay.

24 BY MR. HARRIS:

25 Q Showing you what's been marked as D-10. Do you

1 recognize this, ma'am?

2 A I do now. Yes, I do.

3 Q You do recognize this document?

4 A Yes, I do. I do now.

5 Q This is the performance evaluation you received from --

6 A (indiscernible)

7 Q -- Dean Nicholson between the ate -- between the date of
8 2004 through 2005. Yes?

9 A That is correct.

10 MR. HARRIS: I'd like to have this published to the
11 jury.

12 THE COURT: All right.

13 THE WITNESS: But I was only there from two
14 thousand -- I wasn't there from 7/2004. I started in March -
15 -

16 MR. HARRIS: I understand

17 THE WITNESS: -- of 2005.

18 MR. HARRIS: May this be published to the jurors,
19 Your Honor?

20 THE COURT: Yes.

21 (D-10 received in evidence)

22 BY MR. HARRIS:

23 Q Now, Ms. Briggs, the University uses a calendar year, or
24 does it work around a fiscal year?

25 A It works around a fiscal year.

1 Q And so the fiscal year ends on June the 30th, correct?

2 A Yes.

3 Q From July 1 to June 30th.

4 A Yes.

5 Q All right. So, the fiscal year that this evaluation
6 period would cover would be July 2004 through June 2005?

7 A That's what it says, yes.

8 Q Okay. And can you tell me what it says -- and as I
9 understand this correctly, it says Executive Assistant Senior
10 Coordinator. Is that right?

11 A Yes.

12 Q And then it also says that the evaluation period is from
13 July 2004 through June 2005, yes?

14 A It does say that, but I wasn't there that whole time.

15 Q Okay. Well, this would have been the relevant period
16 where Dean Nicholson would have overseen your
17 responsibilities?

18 A Yeah, that is true. That is true.

19 Q Okay. So, it says:

20 "Ruth is meeting the challenge effectively in her
21 new appointment."

22 Does it say that?

23 A Yes, it does.

24 Q Okay. What does it say for your actual final rating?

25 A 2.83.

1 Q As I understand it, it has the performance-rated
2 categories below that. Do you see that?

3 A I'm sorry?

4 Q Do you see where it says, "performance-rated categories"
5 below?

6 A Yes, I do see that.

7 Q Can you read for me --

8 A Yes, I can.

9 Q -- where it says, "The performance consistently far
10 exceeds expectations." Is that a 4.0?

11 A Yes, it is.

12 Q You can continue reading. 3.5?

13 A 3.0 performance meets job expectations. Good solid -- I
14 can't read that --

15 Q It says "good, solid" does it not?

16 A Good, solid, right.

17 Q But you received a 2.83?

18 A Yes.

19 Q So, that's less than meeting the expectations of the
20 job?

21 A Yes, that is true.

22 Q And this it was Professor Nicholson, whom you said you
23 had a good relationship with?

24 A I did have a good relationship with him, yes.

25 Q But he evaluated your performance as being less than --

1 A He did.

2 Q -- meeting less than expectations?

3 A He did.

4 Q Now, Dean Sadeghipour was the second dean that you were
5 responsible for, correct?

6 A That's true.

7 Q And the evaluation period for Dean Sadeghipour would
8 have been July 2005 through June 2006?

9 A That's correct.

10 Q Did he also provide you an evaluation?

11 A Yes.

12 Q Do you recall what your performance was during --

13 A I would say average.

14 Q Pardon?

15 A I don't remember the score, no, I don't, but I would
16 tell you it was average.

17 Q It was average?

18 A Yes.

19 MR. HARRIS: Can the witness be shown D-11?

20 BY MR. HARRIS:

21 Q I'm showing you what's been marked as D-11. Do you
22 recognize this document, ma'am?

23 A Yes, I do.

24 Q Is this the evaluation you received under the leadership
25 of Dean Sadeghipour?

1 A Yes, it is.

2 MR. HARRIS: I'd like to have this moved into
3 evidence.

4 MR. MUNSHI: No objection.

5 MR. HARRIS: May it be published to the jury?

6 THE COURT: Yes.

7 (D-11 received in evidence)

8 THE WITNESS: I can't --

9 THE COURT: Is there a question?

10 BY MR. HARRIS:

11 Q I want to make sure she's looking at this.

12 A I am looking at it.

13 Q Okay. Do you see where it says, "Employee comments."

14 A Yes. Well, I don't see it; it's cut off. Okay. Now I
15 see it.

16 Q Would you mind reading what it says under "employee
17 comments."

18 A "It has been a pleasure to serve Dr. Sadeghipour
19 over the last year. It's my hope that his
20 leadership will continue, for I enjoy the
21 challenges that he offers me, even though the
22 admonishment about my routine tasks left by the
23 wayside can sting."

24 Q "-- even though his admonishment about the routine
25 tasks left by the wayside can sting."

1 A Yes.

2 Q Is that what you wrote?

3 A Yes.

4 Q So, he could admonish you regarding tasks that you
5 failed to complete?

6 A When they weren't completed, yes.

7 Q When they were not completed?

8 A For when there were issues, yes, he did speak to me.

9 Q You said something stronger than speaking to you. You
10 said admonished. What did you mean by that?

11 A That's cherry-picking. It's a word I used. It was
12 never admonished -- like yelled at by him. I was talked to
13 by him.

14 Q You said "admonished."

15 A Admonished, meaning that he corrected me.

16 Q So, you didn't like the way that felt?

17 A I said it could sting, yes. I was just being honest.

18 Q Okay. I understand that. Yes, you were being honest.

19 A Uh-huh.

20 Q And so, also, you said when Dean Sadeghipour -- but you
21 thought that he was fair, correct?

22 A I do.

23 Q Okay. Do you recall what he has listed for your rating?

24 A I do not.

25 Q Turn to the next page.

1 A Now, that does surprised me.

2 Q What does it say, ma'am?

3 A 2.28.

4 Q On the performance-rating categories, where does that
5 fall?

6 A Between performance meets minimum expectations and
7 standards.

8 Q Okay. And can you go down to where it says -- so,
9 that's below average, yes?

10 A Yes, it is.

11 Q Ms. Briggs, I couldn't hear you. I'm sorry?

12 A I said yes.

13 Q Under "goals and projects," could you read the first
14 goal for you under Phase I under Project Number 1?

15 A Sure.

16 "Make your own materials, leaving the dean's office
17 has met all standards, policies to make sure the
18 process is smooth and flawless. This includes
19 materials related to promotion and tenure, at
20 leaves, and retirements."

21 Q What was your rating for that?

22 A 2.0.

23 Q Again, that meet minimum expectations and standards,
24 correct?

25 A Yes, it is.

1 Q What does the reviewer's comments say.

2 A The reviewer is me.

3 Q No, the reviewer would have been the dean, correct?

4 A Oh, the dean, okay.

5 Most of this is still done by the associate -- other
6 associate deans. I would like her to take the lead.

7 Q Did you subsequently take the lead for your assignments?

8 A I did when I was aware of them.

9 Q Pardon me?

10 A I did when I was aware of them.

11 Q Let's go on to Project Number 2 or Goal/Project 2.

12 Could you read that.

13 A Uh-huh.

14 "Set priorities and plan for direct reports and
15 make sure all expectations are communicated
16 properly and a good plan is in place for their
17 development."

18 Q Okay. Who was your rating for that category?

19 A 2.

20 Q And what did the dean say, as it related to your
21 performance in that category?

22 A "It's beginning to happen, but not yet established
23 by her authority. Unfortunately, if this
24 continues, the responsibilities will pass to
25 someone else."

1 Q Okay. The next category, under Goal 3, you received a
2 4.0, correct?

3 A Uh-huh.

4 Q Yes?

5 A Yes, I did.

6 Q So, that was excellent, yes?

7 A Yes.

8 Q The next category, Project 4, do you see that?

9 A Yes, I do.

10 Q And you received a 2.0, correct?

11 A Yes.

12 Q And so, the area in which you excelled was an area in
13 which you demonstrated professionalism in the workplace under
14 the Dean Sadeghipour's leadership.

15 A I'm sorry, I don't understand the question.

16 Q Yes. The area in which you excelled was under
17 Goal/Project Number 3, right?

18 A Okay. Yes.

19 Q Dealing with professionalism, as it relates to students
20 and faculty during that academic evaluation period, correct?
21 Correct?

22 A What am I agreeing -- I'm sorry?

23 Q You did well under that category?

24 A Yes.

25 Q But your overall rating was less than average, correct?

1 A Correct.

2 Q And this was 2006, well before you had been under the
3 leadership of Dr. Wu, correct?

4 A Yes.

5 Q It wasn't -- you didn't actually get -- managed or
6 supervised by Dr. Wu until 2009, correct?

7 A That is true.

8 Q So, three years before you even had any contact with Dr.
9 Wu?

10 A Yes.

11 Q Okay. Do you recall being supervised under vice or
12 Assistant Dean George Palladino?

13 A Vice -- vice-dean.

14 Q Vice-dean?

15 A Yes.

16 Q And that was from 2006 through 2007, yes?

17 A That is correct. I don't see the thing up there.

18 Q I haven't put it up there?

19 A Okay.

20 MR. HARRIS: May the witness be shown D-12?

21 BY MR. HARRIS:

22 Q Okay. Ms. Briggs, do you recognize this document?

23 A I do.

24 Q Is this the evaluation that you received from George
25 Palladino for the evaluation from June 2007 -- strike that --

1 from July 2006 through June 2007?

2 A Correct.

3 Q It is?

4 A Correct.

5 MR. HARRIS: Okay. I'd like to have this marked
6 and moved into evidence.

7 THE COURT: Okay.

8 MR. HARRIS: May it be published to the jury?

9 THE COURT: Any objection?

10 MR. MUNSHI: No objection.

11 THE COURT: It may be.

12 (D-12 received in evidence)

13 BY MR. HARRIS:

14 Q Ms. Briggs, what was your evaluation --

15 A I don't know.

16 Q -- in 2007?

17 A I don't know -- 2.9.

18 Q 2.0.

19 A 2.09, I'm sorry.

20 Q Again, is that average or below average?

21 A That's below average.

22 Q And George Palladino, as I recall you testifying, he was
23 fair to you, correct?

24 A He was fair -- tough, but fair, yes.

25 Q Tough but fair?

1 A Uh-huh.

2 Q But he gave you a less-than-average performance
3 evaluation?

4 A Right.

5 Q Let's go to the next one, D-13, please. Do you
6 recognize this performance evaluation, Ms. Briggs?

7 A Yes.

8 Q Is this the evaluation period that was reviewed by
9 George Palladino for the time period between July 2007
10 through June of 2008?

11 A Yes.

12 Q Could you please go down to your comments, please. Do
13 you see where it says "employee comments"?

14 A Yes.

15 Q Could you please read for the jury what you actually
16 provide in this evaluation.

17 A "Although I have raised my concerns, it remains an
18 honor to serve with two strong, capable leaders
19 being guided by Dean Palladino. I stand in awe as
20 I watch them transform or college into" -- "in less
21 than two years. Bravo. Please see my comments to
22 the individual areas on which I was evaluated."

23 MR. HARRIS: I apologize, Your Honor. May I have
24 this published to the jury?

25 THE COURT: Yes.

1 BY MR. HARRIS:

2 Q May I -- Ms. Briggs, may I direct you to the -- you in
3 that paragraph where it says "employee's comments" to the
4 line that beginning with, "Most of which ..." Do you see
5 that?

6 A I'm not sure. Where again? Where do you want me to
7 read again?

8 Q I think it's highlighted on your screen, ma'am.

9 A Oh, I'm sorry looking at it:

10 "Most of which do not reflect the responsibilities
11 and functions for which I volunteered in the summer
12 of 2006 when two administrative staff members are
13 not present."

14 Q You can continue reading.

15 A Continue?

16 Q Please.

17 A Yes.

18 "One had resigned and the other went on FMLA for
19 approximately two months. I performed the
20 essential functions required for my position, as
21 well as the other two members" -- "staff members.
22 My attempts to discuss this issue are not taken as
23 credible, although I strive to improve my
24 improvement."

25 Q So, you had complained to --

1 A I didn't --

2 Q Pardon me?

3 A -- complain.

4 Q Did you complain to George Palladino?

5 A No, I didn't complain. I spoke to him. We talked a
6 lot.

7 Q Did you offer any concerns about your treatment in that
8 department?

9 A Well, I did because I was not -- people who did my
10 evaluations, a lot of times wasn't even a full year, so
11 you're looking at that full year and then a new dean would
12 come on. So there was this change in leadership. So, there
13 was an adjustment period throughout that time and I was
14 getting to know what my role was. There was no school for
15 what I did. I didn't have training for what I did. I mean,
16 I didn't -- there was no -- what to expect in the dean's
17 office, I was learning on the fly: What does a dean's office
18 do? And each dean that came on had ideas about what I was
19 supposed to do.

20 Q Do you recall --

21 A Now, I'm not making excuses. I'm just telling you that
22 there was -- some of these were just for an evaluation for a
23 short period of time.

24 Q Do you recall me showing the prior example was D-12,
25 which was the prior evaluation period by the same person.

1 A Yes, that was --

2 Q How --

3 A But that was -- this was a full year -- this was my
4 first full year with him.

5 Q Was 2007 through 2008?

6 A This one, 2007 to 2008; that was the first full year
7 that I had been with him.

8 Q But you had been with him at least a fair portion of
9 2006 and 2007, correct?

10 A Right.

11 Q Okay. So, the transition that you previously talked
12 about with the prior deans, that didn't happen with George
13 Palladino?

14 A No, no, it wasn't -- well, it did, because I was
15 confused about what my role -- like, when one was there, I
16 was supposed to be doing this and then without knowing,
17 another one would come on, so I wasn't aware. So, I was
18 telling him, I was handling these things because I had
19 offered to do them when I was asked when there was no staff
20 to do them.

21 It's not an excuse. It's just a mitigating factor. I
22 think that -- I know that I wasn't -- they weren't clear
23 about what it was that I was supposed to do, nor was I, so
24 when I was continuing to do as I did with the previous dean,
25 I wasn't corrected until the end of the year.

1 Q Okay. And so that led to your performance -- poor
2 performance evaluation by George Palladino?

3 A Can you -- can you go back to the score?

4 Q Sure.

5 MR. HARRIS: Can you put the score up?

6 THE WITNESS: 4, I mean, average.

7 BY MR. HARRIS:

8 Q A little less than average.

9 A 2.7.

10 Q Yes.

11 A It's a 4.0 scale.

12 Q You consider that average?

13 A Yeah, I do on a 4.0 scale.

14 Q It certainly wasn't above average?

15 A No, it wasn't above average.

16 Q Let's go to the evaluation period of the one that was
17 previously in front of you, D-13, for 2007/2008. Again, that
18 was the short year that you previously had that was just
19 shown to you, correct?

20 A Correct.

21 Q And this year, this was a full academic year?

22 A This -- I don't know.

23 Q On D-13.

24 A The one that you showed me.

25 Q Yes.

1 A Yes.

2 Q The one that's in front of you?

3 A Yes.

4 Q And you received a 2.7 here, correct?

5 A Yes.

6 Q So, it says 2.0. It says, "Performance meets minimal
7 expectations and standards" -- minimal.

8 A It does.

9 Q 3.0 says, "Performance meets job expectations." So that
10 would be average. "Good, solid performance" --

11 A Uh-huh.

12 Q -- that's under 3.0?

13 A Correct.

14 Q You're below that, yes?

15 A Yes.

16 Q What was the reason why you're below that, then, if you
17 had a full academic year?

18 A (No verbal response)

19 Q Do you not understand my question?

20 A I do understand your question.

21 Q Okay. So, can you tell us why you were below a 3.0 if
22 you now had a full academic year?

23 A Well, you know, I don't -- the way we were supposed to
24 do the PDPs, and, actually, I was the one who informed the
25 vice-dean how we're supposed to do it. I took this course

1 from HR that no grade inflation, be honest about the grade.

2 No one is always perfect.

3 And so, you know, I talked to them about that. I don't
4 know what other people got, but I didn't have access to their
5 evaluations, but I assumed that they just weren't inflating
6 the grades and that there was room for improvement and I knew
7 that.

8 Q Well, Ms. Briggs, you were talking about other
9 employees. We're talking about why you received --

10 A No, I wasn't. I'm talking about mine. I'm just talking
11 about what I know about the grade. Did I think this grade
12 was low? I thought it was -- what Dr. Palladino was supposed
13 to do, is not inflate the grade.

14 Q You thought he was fair.

15 A And --

16 Q -- you said, "tough but fair."

17 A Tough, but fair.

18 Q He gave you less than a 3.0, which is meets
19 expectations?

20 A Yes, he did.

21 Q Okay. You said that the reason you received a low score
22 previously is because that particular dean did not evaluate
23 you for a long enough period, yes?

24 A I don't know which one you're talking about. Dr.
25 Sadeghipour?

1 Q Yes.

2 A Yes, it was just a very short time.

3 Q Correct. But now George Palladino had you for a year
4 and at least a half of a year, correct?

5 A Yes.

6 Q Okay. By the time that you received the evaluation of a
7 2.7, my question to you is, why did you receive a 2.7 if he
8 now has you for a full academic year?

9 A Because I don't know that that was -- I don't see that
10 as poor performance, to be honest with you. It shows room
11 for improvement, but based on what I -- when I took the
12 supervisory course, that was -- you shouldn't be -- have
13 people that are over 3 and above, unless they're
14 extraordinary and then why are they there is basically what
15 they told us.

16 Q I agree with you when it talks about 3 or --

17 A So, I'm just telling you what I learned -- what I know
18 about what I learned and my grade. I don't know about other
19 people's grades. So, I -- I looked at it as being that's
20 what he -- he was following Temple's HR guidelines: Do not
21 inflate the grades. Give -- make sure there's room for
22 improvement.

23 Q Okay.

24 A And I figured he was just following that guideline.

25 Q Did you ever explain to Dean Palladino that you thought

1 that your rating was too low?

2 A I did. It was -- and I don't remember which one it was,
3 but I did.

4 Q Did you ever receive a 3.0 evaluation before --

5 A Yes.

6 Q -- Dr. Wu evaluated you?

7 A I can't -- I don't -- I don't know.

8 Q You said, Yes?

9 A Well, I think I did. I mean, I'm not really sure.

10 Q When?

11 A I don't know. I mean, can you show them to me?

12 Q Absolutely. I'm asking you, based on your recollection
13 and based on you being an employee of Temple University, when
14 did you receive an evaluation above a 3.0?

15 A I can't say.

16 Q You said, Yes, though. You remember, you said, Yes?

17 MR. MUNSHI: Your Honor, she just said she doesn't
18 remember. This is just attacking her. It's for no reason.

19 MR. HARRIS: I'll withdraw the question.

20 THE WITNESS: I'm sorry that I don't -- that I
21 can't say for certain and I'm not going to perjure myself. I
22 can't say for certain. So, if you show it to me, I'll tell
23 you whether or not I know it.

24 BY MR. HARRIS:

25 Q Okay. All right.

1 A It's hard to be up here.

2 Q You were previously shown D-14.

3 A Okay.

4 Q Do you see that, ma'am?

5 A I do see it.

6 Q This is for the academic period of 2008 through 2009,
7 correct?

8 A That is correct.

9 Q This same reviewer, George Palladino, correct?

10 A It's not the same review. It's following him.

11 Q The same reviewer.

12 A Oh, yes.

13 Q So, now you've had George Palladino for two full years
14 and one-half of a year, correct?

15 A That is correct.

16 Q All right. What was your rating in this academic
17 period?

18 A I don't -- I don't know.

19 Q Is it in front of you, ma'am?

20 A Well, it just is now, okay -- it wasn't before -- 2.88.

21 Q Okay. Is that less than a 3.0?

22 A It is less than a 3.0.

23 Q So, you never received a 3.0 before Dr. Wu became your
24 supervisor?

25 A I don't know. Can you tell me -- I mean, if you show

1 me, I'll tell you whether or not -- I don't know my grades.

2 I'm just telling you I don't know what they are.

3 Q Ma'am, you just saw from 2006 through 2009.

4 A 2006 to 2009.

5 Q Correct.

6 A All right.

7 Q And I believe -- what was the first one that I showed
8 you -- 2004. So, from 2004 through 2009, you have not
9 received a 3.0 yet, have you?

10 A I think there's one missing, isn't there?

11 MR. HARRIS: I'm sorry, may I have this published
12 to the jury?

13 THE COURT: Yes.

14 THE WITNESS: How can we're just showing the grade?
15 We're not showing the -- why would we do that?

16 BY MR. HARRIS:

17 Q Well, the final grade is what your overall assessment
18 was, correct?

19 A Right. But why not look at the evaluation as a whole?

20 Q Well, the reviewer provided you a grade based on your
21 overall performance, correct?

22 A Yes.

23 Q All right. So the final score is what the reviewer
24 thought you should receive in terms of all of the categories?

25 A Yes.

1 Q All right. So, that's the most important -- I'm asking
2 you those questions, ma'am.

3 A Okay.

4 Q So, did you ever receive a 3.0 prior to Dr. Wu?

5 A I don't know. Oh, is this the one right before Dr. Wu?
6 Yes, then, you are correct. I don't know what Dr. Wu gave
7 me.

8 Q I have shown you one where you received a 3.0 so far?

9 A No, you have not.

10 Q And in the following year, I think you were evaluated by
11 Dr. Wu, correct?

12 A It would be Dr. Wu.

13 Q And from the year of -- let me see -- it would be 2009
14 through 2010 -- I'm sorry, 2010 through 2011.

15 A Where's 2009 to '10?

16 Q Good question. I hope to find that one.

17 MR. HARRIS: One moment, please. With the Court's
18 indulgence?

19 THE COURT: All right.

20 (Pause in proceedings)

21 BY MR. HARRIS:

22 Q Ma'am, I'm -- I apologize, I don't have one for that
23 year. Do you know whether or not you were evaluated from
24 2009 to 2010 by Dr. Wu?

25 A I'm sorry, what was the question?

1 Q I said I don't have a document that shows 2009 through
2 2010 for Dr. Wu.

3 A It would be --

4 Q Do you recall actually being evaluated by Dr. Wu?

5 A Yes, Dr. Wu did evaluate me, but I went there in 2009,
6 so ...

7 Q So, you may not have had an evaluation in that first
8 year?

9 A I had -- did get an evaluation.

10 Q In that year, are you sure? Because I sure don't have
11 it. Are you sure about that?

12 A I'm sure.

13 Q Okay.

14 MR. HARRIS: May the witness be shown D-15?

15 BY MR. HARRIS:

16 Q The evaluation period that you were just referring to,
17 Ms. Briggs, was that a full academic year or a partial year?

18 A Was -- that would have been a full year --

19 Q Now --

20 A -- it started in 2009.

21 Q It would have been a full year, okay.

22 So, ma'am, you testified that the previous deans were
23 people who you had a tremendous amount of respect for and
24 that were fair, yes?

25 A They were, yes.

1 Q And none of those deans actually gave you a performance
2 evaluation of a 3.0 or higher, correct?

3 A Correct.

4 Q And, in fact, George Palladino, I think had the highest
5 score of a 2.8, yes?

6 A Yes.

7 Q Correct?

8 A Yes.

9 Q All right. So, Dr. Wu was the person that you've been
10 testified to who bullied you, correct?

11 A Yes.

12 Q Who harassed you, yes?

13 A Yes.

14 Q Who was absolutely unfair to you, correct?

15 A Yes.

16 Q And can you tell me what his final score rating for you
17 was for 2010 to 2011.

18 MR. HARRIS: And may this be published to the jury,
19 Your Honor?

20 THE WITNESS: 2.91.

21 THE COURT: Yes, it can.

22 BY MR. HARRIS:

23 Q 2.91, is that what it says?

24 A Yes, it is.

25 Q So, the bully and the harasser gave you the highest

1 score, correct?

2 A This was my first year there.

3 Q You just said 2009/2010 was your first year.

4 A Two -- well, then, where's that evaluation?

5 Q That's what I asked you. I don't have it.

6 But you said you received one in 2010 -- 2009 through
7 2010.

8 A I'm assuming I did.

9 Q Okay. So, this wouldn't be your first year; this would
10 be your second year, correct?

11 A Yes. Yes.

12 Q So, if your second year of being bullied, you received a
13 2.91?

14 A Yes.

15 Q The highest score that we've seen so far?

16 A Yes.

17 Q Okay. Now, ma'am, as I understand your testimony, you
18 said that -- well, strike that.

19 Do you recall Dr. Wu saying that he was particularly
20 friendly with you?

21 A Yes, I do.

22 Q Okay. And, in fact, he said that the two of you would
23 exchange gifts?

24 A We -- not gifts. I would let him borrow a book or a CD.
25 We would exchange CDs or books about our favorite composers.

1 Dr. Wu would bring gifts back from going overseas for
2 everyone in the department, but that comment he made about
3 books and stuff, I ...

4 Q Did Dr. Wu provide you gifts when he would go abroad?

5 A When he would -- yes, he did.

6 Q Okay. How many occasions did he provide you a gift?

7 A I'm going to guess five-ish.

8 Q And how many gifts did you provide him?

9 A From myself, personally?

10 Q Yes.

11 A I don't know that I ever really gave him a gift. I did
12 share books with him and CDs.

13 Q Did you ever give him a card?

14 A Did I give him?

15 Q A card?

16 A A card?

17 Q A greeting card, yeah.

18 A A greeting card -- probably.

19 Q On how many occasions did you do that?

20 A I don't recall.

21 Q More than two?

22 A I don't recall.

23 Q More than three?

24 A I don't know.

25 From just me?

1 Q Yes, from just you.

2 A I don't recall.

3 Q Well, you don't recall the number, but you know that it
4 was more than one?

5 A I do -- I do recall sending him a card or an email or
6 something about Christmas or something, yeah, I do.

7 Q Okay. Do you remember taking photographs of him while
8 he was playing the violin?

9 A Yes, I do. He asked me to do it.

10 Q He asked you to do it?

11 A Yes.

12 Q When?

13 A When they -- at the -- when it happened -- while he and
14 John were practicing. There was another staff member there.

15 Q Do you recall Dr. Wu going to Spain in October of 2011
16 for a conference?

17 A I don't -- I can't say for sure that's what conference
18 it was, but he traveled frequently.

19 Q Okay. Do you recall him going to Spain in October of
20 2011?

21 A No, not really, but -- I don't remember if that was in
22 Spain, but I know that he traveled.

23 Q Okay. But, you were responsible for his calendar, as
24 one of the functions that you were responsible for, correct?

25 A That is true.

1 Q Would you have been the person who would have been
2 responsible for booking his conferences, as well?

3 A Booking -- I'm sorry -- the conference?

4 Q Yes, the conference.

5 A Like conference fees? Conference fees, you mean for
6 him? I don't know what you mean.

7 Q Okay.

8 A For his -- for travel or for the conference fee, itself?

9 Q I'll separate them out.

10 A Okay.

11 Q You would book his travel for conferences, correct?

12 A When asked, yes, I did.

13 Q Okay. But you also registered him to conferences?

14 A I have. Yes, I have.

15 Q Okay. That would be -- those two things would be your
16 responsibility --

17 A They were --

18 Q -- as his executive assistant?

19 A -- they were my responsibility, but sometimes I missed
20 out on them, so I can't say that I did it every time.

21 Q Okay. I understand.

22 But you have no inspect recollection that Dr. Wu would
23 have been in Spain or Madrid, Spain, specifically, in October
24 of 2011?

25 A Specifically, I do not recall, but it is -- he traveled

1 a lot, as I said.

2 Q Do you recall him traveling to China in October of 2011?

3 A In 2000 what?

4 Q '11.

5 A He went to China every year, so --

6 Q In October?

7 A (No verbal response)

8 Q Dr. Wu testified that he did not travel to China during
9 the academic year?

10 A He did travel to China. Well, he said he didn't travel
11 during the academic year. He did travel during the academic
12 year.

13 Q Did he travel to China during the academic year?

14 A I don't know if he did. He usually went in the summer,
15 to be honest with you. He usually did.

16 Q As he testified?

17 A Yes.

18 Q Okay.

19 MR. HARRIS: The Court's indulgence?

20 (Pause in proceedings)

21 MR. HARRIS: May the witness be shown P-5.

22 And, specifically, it's already been moved into
23 evidence, so may I have this published to the jury?

24 THE COURT: Yes.

25 BY MR. HARRIS:

1 Q Page 2 of this document, specifically, Ms. Briggs, do
2 you recall testifying earlier this morning when counsel asked
3 you questions about your contact with Ms. Rhonda Brown?

4 A Yes, I recall.

5 Q And do you see the bottom of that email on July 25th,
6 2012?

7 A Yes.

8 Q This was you reaching out to Ms. Brown, correct?

9 A To Sandy.

10 Q I'm sorry? To Sandy, in reference to you having a
11 conversation with Ms. Brown?

12 A Yes.

13 Q And you went to Ms. Brown for what reason, again?

14 A To talk to her as a friend.

15 Q Okay.

16 A I did not in an official role.

17 Q Not in an official role.

18 A No, she was my friend.

19 Q But as I understand it, you complained to Ms. Brown --

20 A Yes.

21 Q -- about the harassing and bullying that you were
22 experiencing under the leadership of Dr. Wu?

23 A Yes, I did.

24 Q And how offended you were, based on the comments that he
25 had made --

1 A Yes.

2 Q -- and about him treating you unfairly --

3 A Yes.

4 Q -- creating a hostile work environment --

5 A Yes.

6 Q -- correct?

7 A Yes.

8 Q And this was in August of 2012?

9 A Yes.

10 Q Okay.

11 MR. HARRIS: May the witness be shown P-7, please?

12 I believe it's already been moved into evidence. May I have
13 this published to the jury, please?

14 THE COURT: Any objection?

15 MR. MUNSHI: No, Your Honor.

16 THE COURT: It's admitted.

17 BY MR. HARRIS:

18 Q Ms. Briggs, I'm showing you what's been marked as P-7.

19 A Yes.

20 Q Do you recall testifying to this document earlier today?

21 A Yes, I do. Yes.

22 Q May I have you direct your attention to the bottom of
23 that page, the next-to-last paragraph.

24 A Can you highlight it?

25 Q This, this email, this is where you're complaining about

1 the comments that Dr. Wu had said, yes?

2 A Yes.

3 Q About the age comments that you were referring to,
4 correct?

5 A Yes.

6 Q And, again, the mistreatment that you had been
7 experiencing, yes?

8 A That's true.

9 Q Intolerable, in fact, yes?

10 A Yes.

11 MR. HARRIS: May the witness be shown D-75.

12 MR. MUNSHI: There is no D-75.

13 MR. HARRIS: There should be. It's an email.
14 It's also marked as -- it should be marked D-18.

15 MR. MUNSHI: If there's a D-75, we don't have it,
16 just so you know.

17 MR. HARRIS: I'll make sure you get it.

18 MR. MUNSHI: Okay.

19 MR. HARRIS: D-18.

20 MR. MUNSHI: D-18, okay.

21 BY MR. HARRIS:

22 Q I'm showing you what has been marked as D-18. Do you
23 recognize this email exchange?

24 A Yes, I do.

25 Q And this is the email exchange from -- between you and

1 Dr. Wu on December 31st --

2 A That's correct.

3 Q -- on New Year's Eve on 2012, correct?

4 A Correct.

5 MR. HARRIS: May this be published to the jury,
6 Your Honor?

7 MR. MUNSHI: No objection, Your Honor.

8 THE COURT: It may.

9 (D-18 received in evidence)

10 BY MR. HARRIS:

11 Q Ms. Briggs, could you read the email that you sent to
12 Dr. Wu on New Year's Eve, please.

13 A Sure.

14 "Dr. Wu, I did not see you before the holiday break
15 and missed a chance to wish you a great holiday and
16 time with your family, so I sent my holiday card to
17 your home. As I said in my message, I appreciate
18 all of what you did for me, your commitment to the
19 department, your discipline, and your energy."

20 Q Let me stop you there.

21 A Uh-huh.

22 Q In an email on New Year's Eve, you said, "I appreciate
23 all that you do for me"?

24 A Uh-huh.

25 Q Yes?

1 A Yes, I did.

2 Q Okay.

3 "And your commitment to the department, your
4 discipline, and your energy."

5 A Yes.

6 Q This is the harasser and bullier, correct?

7 A Yes.

8 Q The same person? Okay.

9 I'm sorry, can you read the next paragraph, please.

10 A "I hope that on this last day of 2012 that your
11 last days of the holiday break are spent relaxing
12 with your family, except I bet that you're writing
13 a couple proposals and submitting papers. The
14 break flew by and I will be back at Temple in a
15 very short time. There are some pictures attached
16 of master violin teacher Wu and" (indiscernible)
17 "that I took just before break. You should ask Dr.
18 Kwatny to post one of them on your website. Be
19 safe and relax and have fun."

20 Q Is there another document behind that?

21 A Is it where?

22 Q Did he respond to your email?

23 A I don't know.

24 Q I believe at the top, ma'am.

25 A Okay.

1 Q What was his response?

2 A He says:

3 "Ruth, thanks for the note. I went to NYC a couple
4 of days ago to watch Aida and enjoy an opera and
5 watch. I enjoyed it very much. Happy new year."

6 Q And that was his response to you?

7 A Yes, it was.

8 Q Were the -- attached to that email, did you have
9 photographs?

10 A I did.

11 Q That's Professor Jie Wu?

12 A Yes, it is. That's him and that's he and John.

13 Q And those are the photographs that you took?

14 A Of he and John, yes, I did. At his request. It was at
15 his request that I came down to that practice, that lesson
16 for John.

17 Q Okay. And you took the time to send him such a nice
18 note?

19 A I was desperate. I was desperate. And as I look at
20 this, I see my desperation. I was trying to make it work.
21 I'm not a confrontive person. I don't want to work in a
22 hostile work environment and I was trying my best to make it
23 work.

24 MR. HARRIS: Your Honor, may we have a quick break?

25 THE COURT: We'll take a ten-minute recess.

1 The jury may go out for 10 minutes.

2 MR. HARRIS: Thank you.

3 THE COURT OFFICER: All rise.

4 (Recess taken at 2:10 p.m.)

5 (Proceedings resume at 2:22 p.m.)

6 (Call to order of the Court)

7 (Jury present)

8 (Witness resumes stand)

9 THE COURT: All right. You may be seated.

10 Counsel, you may continue.

11 MR. HARRIS: Thank you.

12 BY MR. HARRIS:

13 Q Ms. Briggs, do you recall sending an email communication
14 to Ms. Walton in April of 2014?

15 A Yes, I do.

16 Q You do?

17 A Yes.

18 Q Okay.

19 A I said yes. I'm sorry.

20 MR. HARRIS: May the witness be shown D, I believe
21 it's 23.

22 THE COURT: Any objection?

23 MR. MUNSHI: No objection, Your Honor.

24 MR. HARRIS: And may this be published to the jury?

25 THE COURT: It's admitted.

1 MR. MUNSHI: No objection.

2 (D-23 received in evidence)

3 BY MR. HARRIS:

4 Q An April 2nd, twenty -- April 3rd -- excuse me -- 2014,
5 did you -- this email -- is this the email you sent to Ms.
6 Walton?

7 A Yes, it is.

8 Q Could you please read that to the jury?

9 A Sure.

10 "Dear Deirdre. It is with great sadness that I
11 resign from my position as Executive Assistance in
12 the Department of Computer and Information
13 Sciences, in the College of Science" -- "Science
14 and Technology, effective April 1st, 2014."

15 More?

16 Q Yes, please.

17 A "I have great admiration for our students, both
18 undergraduate and graduate, and their amazing
19 faculty. I miss my family and my community."

20 Q That's the email that you sent, indicating that you were
21 resigning from your role. Yes?

22 A I was told that I should -- could resign.

23 Q Right.

24 A Right.

25 Q That was offered to you, correct? By Ms. Walton, who

1 was the head of --

2 A By miss --

3 Q -- HR?

4 A Right. And Greg Wacker, yes.

5 Q Okay. Greg Wacker?

6 A And Greg Wacker.

7 Q As well as Dr. Wu, correct?

8 A Dr. Wu was not there.

9 Q He wasn't in the meeting, but he was the one who would
10 have approved this sort of request.

11 A No. I don't know.

12 Q Okay.

13 A I can't say -- I don't think --

14 Q Understood.

15 Did you talk to Ms. Walton after you received this
16 email?

17 A I did.

18 Q Okay. And the information that you said, as I
19 understand it, in this email, it was that you resigned.

20 A I'm sorry?

21 Q That you resigned.

22 A That I resigned.

23 Q Okay.

24 A It was under duress. I -- I want to tell you, it was
25 under duress.

1 Q I understood your testimony this morning that you were -
2 - and as you indicated, you were under duress. But
3 certainly, the emotion impact of the events surrounding your
4 separation from the organization, correct?

5 A I'm really having a hard time hearing you. I'm sorry.

6 Q As I understood your testimony, you indicated that
7 you've had a significant amount of emotional distress around
8 the events that led to your separation from the organization.

9 A Yes.

10 Q But as I also understand, Ms. Briggs, prior to you
11 leaving the organization, you had been seeking the treatment
12 of a mental health professional. Yeah?

13 A That is true.

14 Q Okay. And Dr. Middleman is her name?

15 A That is her name.

16 Q And as I also understand it, Dr. Middleman had made a
17 neurological psych evaluation to a Dr. Esposito. Is that
18 accurate?

19 A That is correct.

20 Q And Dr. Esposito prepared a report, did she not?

21 A Yes, she did.

22 Q And the report was prepared at the direction and request
23 of your treating physician, which would have been Dr.
24 Middleman.

25 A Correct.

1 MR. HARRIS: All right. May the witness be shown -
2 - I believe it is -- I think I have it there -- Dr.
3 Esposito's evaluation report.

4 (Participants confer)

5 THE COURT: Any objection?

6 MR. HARRIS: D-55.

7 MR. MUNSHI: No objection, Your Honor.

8 THE COURT: It may be admitted.

9 MR. HARRIS: Excuse me, Your Honor. The Court's
10 indulgence? I do have it here somewhere. It's actually D-38
11 -- or it's Middleman -- it's actually listed under Middleman
12 38, Bates-stamped. So it's listed under ...

13 (Participants confer)

14 MR. HARRIS: Okay. This is an extension of D-55.

15 (Participants confer)

16 MR. HARRIS: Your Honor, before we go into this,
17 can we just have a very brief sidebar on this document?

18 THE COURT: All right.

19 MR. HARRIS: Thank you, Your Honor.

20 (Pause in proceedings)

21 (Sidebar)

22 THE COURT: Yes. What is it?

23 MS. MATTIACCI: Your Honor, we object to the
24 admission of this document. It's a medical record. The
25 doctor is not here to testify to it. It's an out-of-court

1 statement, it's hearsay, it's not relevant, as it's dated
2 August 2011.

3 MR. HARRIS: It's absolutely relevant. Your Honor,
4 in --

5 THE COURT: How does it get admitted?

6 MR. HARRIS: It gets admitted because it impeaches
7 what she had previously said. She testified that she was --
8 that she had been performing her functions of her job
9 adequately, that she was -- that she didn't make mistakes to
10 such a degree that she should have been disciplined for.

11 In the evaluation, she specifically says part of
12 how she missed the sirens [sic] because she couldn't
13 remember. She specifically also says that sometimes she
14 would actually stay late to compensate for what she couldn't
15 do during the work hours, all of which is in dispute in this
16 case.

17 MS. MATTIACCI: (indiscernible)

18 THE COURT: I don't understand. How do you happen
19 to have this?

20 MR. HARRIS: It was provided to be by counsel.

21 THE COURT: (indiscernible)

22 MS. MATTIACCI: They requested all the
23 psychological records, and we provided them in discovery.
24 But this is 2011, so it's three years --

25 THE COURT: (indiscernible) keep up your voice.

1 MS. MATTIACCI: Okay. This is three and a half
2 years before her termination. She had a psychological.
3 Actually, the doctor's conclusion was she was fine, she was
4 just having a little anxiety. And her -- his cognitive
5 testing of her was that she was very acute and very alert.
6 So there's a whole bunch of interpretations that would have
7 to go on here, in order to properly understand it.

8 THE COURT: (indiscernible) what she told the
9 doctor about --

10 MR. HARRIS: Exactly.

11 THE COURT: -- (indiscernible) than what the doctor
12 told her.

13 MS. MATTIACCI: But then it's only fair that the
14 evaluation -- the conclusion of the evaluation comes in,
15 which is that she has very high mental acuity, that he
16 doesn't think that she has any problems with memory,
17 cognitive function; that everything that she is going through
18 is fine. You know --

19 MR. HARRIS: Well, she says, I have trouble
20 multitasking at work, I am forgetful; she forgets things,
21 that she did things, and things must be done. She misplaces
22 objects, forgets people's names, forgets tasks. All of those
23 things have been called into issue. If she tells an
24 evaluator in 2011, specific to the time that she was
25 supposedly under the leadership of Dr. Wu, it certainly

1 impeaches her testimony.

2 MS. MATTIACCI: No. His entire investigative
3 summary --

4 THE COURT: And my --

5 MS. MATTIACCI: -- has nothing to do with that.

6 THE COURT: What I'm wrestling with is: How does
7 it get admitted?

8 MS. MATTIACCI: Yeah.

9 MR. MUNSHI: Exactly.

10 MR. HARRIS: It gets admitted through
11 (indiscernible) I don't have to admit the document,
12 necessarily. I can certainly -- the document itself comes in
13 for the purposes of prior inconsistency. She's testifying
14 now that she was a good performer. She tested -- she
15 provided a statement to a medical health professional that
16 contradicts what she's currently testifying.

17 MS. MATTIACCI: No.

18 MR. HARRIS: It comes in as a prior inconsistent
19 statement.

20 MS. MATTIACCI: She's not contradicting --

21 THE COURT: You can ask her questions, but if she
22 denies that, I don't know -- you're not going to be able to
23 contradict her with that.

24 MR. HARRIS: If she denies what, specifically.

25 THE COURT: What she said in that report, or what

1 that report says.

2 MR. HARRIS: Okay. If she says she (indiscernible)

3 THE COURT: Then you're stuck with it.

4 MR. HARRIS: I'm stuck with what she said.

5 MR. MUNSHI: Yes, you're stuck with what she says
6 here.

7 MR. HARRIS: Okay. I have no problem.

8 (Sidebar concluded)

9 MR. HARRIS: Your Honor, may I be seen sidebar,
10 just so that I know how to handle that with --

11 THE COURT: No. No.

12 MR. HARRIS: No?

13 THE COURT: What?

14 MR. HARRIS: So -- just so I know how to handle the
15 document before it gets published to the jury.

16 MS. MATTIACCI: Well, which document?

17 THE COURT: You don't use the document at all. You
18 just ask some questions, if you want to.

19 MR. HARRIS: Very well.

20 THE COURT: And --

21 MR. HARRIS: If I may?

22 THE COURT: And don't use the document.

23 MR. HARRIS: Okay. Very well.

24 THE COURT: Actually --

25 THE WITNESS: Can you highlight it for me?

1 THE COURT: -- you're using --

2 THE WITNESS: I'm just having --

3 THE COURT: You're using --

4 THE WITNESS: -- a hard time seeing it.

5 THE COURT: -- the document.

6 MR. HARRIS: Pardon me?

7 THE COURT: By sitting there, appearing to read
8 from it, you are using it.

9 MR. HARRIS: Your Honor, I don't understand this
10 Court's ruling. If I may see you at sidebar then.

11 THE COURT: No, the ruling was you can ask those
12 questions. Remember?

13 MR. HARRIS: Okay.

14 THE COURT: You can ask the questions. But I don't
15 want you holding a document, asking as if they're coming from
16 that document.

17 MR. HARRIS: Okay. Understood.

18 BY MR. HARRIS:

19 Q Ms. Briggs, do you remember actually being evaluated by
20 a neuropsychologist?

21 A Yes, I do.

22 Q Okay. And the neuropsychologist was Dr. Esposito.

23 A That is correct.

24 Q Do you remember telling Dr. Esposito about your
25 cognitive functions prior to 2012?

1 A I can't -- was that the date? I'm going to -- I'm not
2 sure, but I -- yes, I did talk to her about it.

3 Q Okay. Did you explain to Dr. Esposito that you had
4 problems -- or you had been often been distracted --

5 MR. MUNSHI: Your Honor, this is just an end around
6 of what we just talked about.

7 THE COURT: No, I told him he could ask questions.

8 MR. MUNSHI: Okay.

9 THE COURT: But, you know --

10 MR. MUNSHI: We all --

11 THE COURT: But don't -- don't use any documents.
12 Okay? Don't create the impression that you're...

13 BY MR. HARRIS:

14 Q Ms. Briggs, do you remember telling Dr. Esposito that
15 you were often distracted at work?

16 A Yes.

17 Q That you would miss assignments at work?

18 A Yes.

19 Q That you'd have to stay after work late because of your
20 being easily distracted and compensating for the time period
21 that you couldn't complete your tasks during the work day?

22 A Yes.

23 Q Did you struggle with organization and planning?

24 A I don't recall that, but...

25 Q That you felt overwhelmed at work?

1 A I did feel overwhelmed at work.

2 Q Because of the amount of work that you receive?

3 A And because of the -- the -- the pressure that they were
4 -- I was pressured. No mistakes, you know, get it on time,
5 so I did, I did put extra time in to make sure to
6 overcompensate for that. I --

7 Q Okay. And you would forget things?

8 A I'm sorry?

9 Q And that you would forget things?

10 A I can't hear you?

11 Q Yes. That you would forget things at work that you were
12 required to --

13 A I don't recall saying --

14 Q -- remember?

15 A -- that. No, I don't. If I might say that I was --

16 THE COURT: There's no question pending.

17 THE WITNESS: All right.

18 BY MR. HARRIS:

19 Q And this evaluation that you had with Dr. Esposito was
20 in 2011, three years before you were actually -- were
21 separated from your organization?

22 A That is correct. I think.

23 Q And again, that was at the direction of your treating
24 healthcare professional?

25 A No, it was at my request.

1 Q Your request?

2 A My request.

3 Q Because you wanted help?

4 A I wanted to see if I had Alzheimer's like my father.

5 Q But you did not have that?

6 A I did not have that.

7 Q Ms. Briggs, are you currently employed?

8 A Yes, I am.

9 Q Your current employment, I believe you're a health --
10 home healthcare assistant?

11 A Aide, right. Uh-huh. Yes.

12 Q And as I also understand your testimony, you have not
13 looked for a position since you've been in that current role?

14 A No.

15 Q Okay. And it's -- your salary currently is
16 approximately half of what you made when you were working at
17 Temple University?

18 A Or less. Yeah.

19 Q And the position that you currently have is full-time?

20 A Yes, it is.

21 Q Okay. And as I understand your testimony, you have a
22 degree, correct?

23 A Yes, I do.

24 Q That you actually received with honors?

25 A Yes, I did.

1 MR. HARRIS: Your Honor, may I see you with
2 Counsel?

3 THE COURT: Yes.

4 MR. HARRIS: At sidebar?

5 (Sidebar)

6 MR. HARRIS: I neglected to go over the Facebook
7 page, the Facebook messages.

8 THE COURT: Yes.

9 MR. HARRIS: So I think that this would be an
10 appropriate time, this would be the only area of inquiry that
11 I haven't gone in to that I would like to go in to.

12 THE COURT: Ma'am?

13 MS. MATTIACCI: They're completely irrelevant.
14 They're completely irrelevant. I -- they haven't even
15 identified which statements. There's just like a little --
16 there's a stack --

17 MS. SATINSKY: She indicated them in her
18 deposition, Your Honor.

19 MS. MATTIACCI: It's not an authentication issue,
20 it's an admissibility issue.

21 MR. HARRIS: No absolutely. No, I -- I'm not
22 suggesting -- I mean, I think there's no question that they
23 were authenticated. The question is admissibility and
24 certainly what was called into question is whether or not Ms.
25 Briggs subjectively believes that she was offended by the

1 comments, specifically the comment of being told that when
2 you go out to pasture by Dr. Wu.

3 MS. MATTIACCI: Where is the statement in her
4 Facebook page that contradicts that, at all? I don't see a
5 single --

6 MR. HARRIS: (Indiscernible) for the purpose of
7 contradiction.

8 MS. MATTIACCI: -- statement.

9 MR. HARRIS: Using it for her subjective belief
10 that she was in a hostile work environment. The hostility of
11 what she said she experienced, she testified again on direct
12 and cross, that she believes she was in a hostile work
13 environment. Specifically, that the linchpin in that is the
14 comment that was made by Dr. Wu. The Facebook messages where
15 she's actually using lewd and vulgar language referring to
16 Dr. Wu and Ms. Walton, certainly calls into question whether
17 or not someone would believe that they were subjectively
18 offended by that comment.

19 MS. MATTIACCI: That is apples and --

20 MR. HARRIS: That's a --

21 MS. MATTIACCI: -- oranges.

22 MR. HARRIS: That's exactly what the cases -- that
23 specifically address.

24 THE COURT: I'll allow you to use it for that
25 purpose.

1 MR. HARRIS: Thank you.

2 MS. MATTIACCI: Your Honor (indiscernible)?

3 THE COURT: No, you'll have to go back.

4 MS. MATTIACCI: Okay. Can I just state I need to
5 put something on the record for, you know?

6 THE COURT: Well --

7 MS. MATTIACCI: I just -- Your Honor, just for --
8 it's a -- this is a -- this is a very, very, very, critical
9 issue and I just for appellate purposes, I have to put my
10 record -- I have to put my argument on the record.

11 THE COURT: No, you don't.

12 MS. MATTIACCI: I think this is -- I don't?

13 THE COURT: You know, you've already -- you opposed
14 it.

15 MS. MATTIACCI: Okay. But --

16 THE COURT: What would you like to do --

17 MS. MATTIACCI: Well, now that we've heard all the
18 testimony, there's absolutely no reason why it would be
19 relevant to the -- to the issue that -- it's not -- it's her
20 state of mind and whether (indiscernible) discriminatory
21 conduct directed towards her would be upsetting to her --

22 THE COURT: No, it's --

23 MS. MATTIACCI: -- not whether --

24 THE COURT: -- it's whether she was actually
25 offended or put in fear or upset. And --

1 MS. MATTIACCI: And the relevance --

2 THE COURT: Okay.

3 MS. MATTIACCI: -- would be --

4 THE COURT: I've ruled.

5 MS. MATTIACCI: Okay. Thank you, Your Honor.

6 (Sidebar concluded)

7 BY MR. HARRIS:

8 Q Ms. Briggs, you have a Facebook account, correct?

9 A I do have Facebook. Yes, I do.

10 MR. HARRIS: May the witness be shown Exhibit D-33?

11 THE COURT: All right.

12 THE WITNESS: I see it. Yes.

13 BY MR. HARRIS:

14 Q Do you recall sending a Facebook message through
15 Messenger to Alexis Cogan (phonetic)?

16 A Yes.

17 Q Show you what's been marked as D-33. Does that reflect
18 the email exchange between you and Ms. Cogan?

19 A Is it --

20 Q Alexis Cogan.

21 A I'm sorry. What -- what is the highlighted portion?

22 MR. MUNSHI: Your Honor, just objection. He said
23 email. This is a private Facebook message. It's not an
24 email.

25 MR. HARRIS: I stand corrected.

1 BY MR. HARRIS:

2 Q The private Facebook message between you and Ms. Cogan?

3 A That is true.

4 Q Okay. On April the 24th, 2015 at 4:35 p.m.?

5 A Yes.

6 Q Okay.

7 MR. HARRIS: I'd like have this marked and moved
8 into evidence and published to the jury.

9 MR. MUNSHI: Your Honor, we stand by previous
10 objection that these are irrelevant and personal, private
11 messages, have nothing to do with anything.

12 THE COURT: Admitted for the limited purpose that
13 it reflects on the Plaintiff's claim that she was subjected
14 to a hostile work environment. All right.

15 (D-33 received in evidence)

16 MR. MUNSHI: And Your Honor, further objection that
17 this message is after she was already out of Temple, so she
18 was not at, at that time.

19 THE COURT: All right. That's fine. Overruled.

20 BY MR. HARRIS:

21 Q Showing you what's been marked as Exhibit D-33.

22 MR. HARRIS: May I have this published to the jury,
23 Your Honor?

24 THE COURT: All right. Yes.

25 BY MR. HARRIS:

1 Q Ms. Briggs, do you see this message?

2 A I do see it.

3 Q And where it says, "Alexis," that's Ms. Cogan?

4 A Yes.

5 Q And where it says, "Ruth," that would be you?

6 A That would be me.

7 Q Can I go down to where it says and highlight under where
8 it says, "Ruth?" Where it says:

9 "I fantasize about him getting publicly disgraced.

10 There's nothing more dangerous than a-s-s-h-o-l-e

11 with too much power."

12 Did you say that?

13 A I did.

14 Q And what did you say -- what's the response?

15 A And what?

16 Q What is your response after that?

17 A "I think Greg is a misogynist."

18 Q And who were you talking about?

19 A Excuse me?

20 Q Who were you referring to when you said Greg?

21 A Wacker.

22 Q Okay. Continue. Ms. Briggs, I gave you the wrong
23 message. I'm sorry.

24 MR. HARRIS: May the witness be shown D-34? It's
25 another Facebook message.

1 BY MR. HARRIS:

2 Q Ms. Briggs, were you Facebook friends with Abbey Foreman
3 (phonetic)?

4 A Yes, I am.

5 Q Okay.

6 MR. MUNSHI: And, Your Honor, just for the record
7 being clear before it goes up there, we stand by our previous
8 objections as we've previously stated.

9 THE COURT: Correct and overruled.

10 BY MR. HARRIS:

11 Q Show you what's been marked as Defense Exhibit 34. Do
12 you recognize this email message?

13 A Yes.

14 Q Between you and Ms. Foreman?

15 A Yes.

16 MR. HARRIS: I'd like to have this marked and moved
17 into evidence and published to the jury.

18 THE COURT: All right.

19 (D-34 received in evidence)

20 MR. HARRIS: May the witness be shown Page 406,
21 Briggs at the bottom Bates stamp 406.

22 BY MR. HARRIS:

23 Q At the top where it says -- can you direct at the very
24 top of the page -- where it says, "Abbey," and then "he is."
25 Do you see that, the very top?

1 A Yes, I see it.

2 Q Okay. Could you read what Abbey said to you in this
3 exchange?

4 A I don't know whose is whose and whose is mine, to be
5 honest with you.

6 Q So when she says, "He is a J-hole," do you know who
7 she's referring to?

8 A Do I know to whom she's referring or --

9 Q Yes.

10 A Yes, I did.

11 Q Who was she referring to?

12 A Dr. Wu.

13 Q Okay. And then your response is?

14 A Is that the highlighted part?

15 Q It is. Would you read that, please?

16 A Sure. The highlighted part, right?

17 Q Yes.

18 A "Abbey," -- I don't remember this. Abbey Foreman
19 answered the before you die to do list, check off what you
20 have done. It gets better as you read on. With how to
21 (indiscernible) and five others.

22 Q You can continue.

23 A "You know that there is a weenie in the office,
24 right? If you consider the amount of endurance and
25 restraint it takes to refrain from committing acts

1 of postiality" [sic] "you will understand that I am
2 hesitant to discuss teeny tiny Weenie Wu in my
3 Facebook status. It would be suggested by someone
4 in the Dean's Office to contact HR."

5 Q When you say, "Weenie Wu," that --

6 A I --

7 Q -- that's Dr. Wu you're referring to?

8 A Yes.

9 Q Okay. You can continue reading.

10 A "I would consider the suggestion if I knew of a
11 person in HR in whom I had trust. Oh well, I
12 don't. I hope another Weenie Wu victim would take
13 action so that my cowardice ass remains gainfully"
14 --

15 Employed I think is what I meant.

16 Q And this was in 2011, correct?

17 A Yes.

18 Q All right.

19 MR. HARRIS: Can the witness be shown Briggs-407 --
20 I think I'm going to need that -- I'm sorry. Can you
21 highlight where it says "Ruth?" 10/1/2011, 3:15 in the
22 morning. Can you highlight that?

23 THE WITNESS: Abbey --

24 BY MR. HARRIS:

25 Q This is what you said, Ms. Briggs?

1 A Yes.

2 Q Okay. Can you read that, please?

3 A Uh-huh.

4 "Abbey, I think I heard a lot of Chinese words,
5 your name, then a lot of Chinese. What happened
6 when you talked to Weewee Wu or why am I not
7 allowed to write comments for your pictures? Did I
8 say something inappropriate again?"

9 Q When you say "Weewee Wu" who are you referring to?

10 A Dr. Wu.

11 Q That was the name you called him?

12 A I said that. Yes, I did.

13 Q You called him a Weewee?

14 A Weewee Wu, yes, I did.

15 Q All right. Did you call him any other disparaging
16 names, ma'am?

17 A I don't recall.

18 Q In your Facebook messages to Ms. -- to Abbey?

19 A To Abbey?

20 Q Correct.

21 A Yeah, I don't recall. I recall that it was a pretty
22 long exchange when I turned it over to my attorney, but I did
23 not read it all.

24 Q You hadn't read this message --

25 A I didn't re-read it, no.

1 Q Okay. But you do recall reading it before today? Yes?

2 A Reading it before today or writing it before today?

3 Q Both.

4 A I wrote it, but I don't recall the content and it was a
5 very long exchange and no, I --

6 Q Okay.

7 MR. HARRIS: May the witness be shown --

8 THE WITNESS: I recall being angry, but I don't
9 recall the -- the words exactly like that.

10 MR. HARRIS: Okay. May the witness be shown Page
11 416, Briggs-416?

12 BY MR. HARRIS:

13 Q Can you read the section where it says, "Ruth, and it
14 says, Well," that paragraph?

15 A I can't -- okay.

16 Q Could you read for the jury what you said?

17 A Yes.

18 "Well, the spineless weenie of a man got me today.

19 He had Greg Wacker fire me."

20 THE COURT: You can use initials or something.

21 MR. HARRIS: Yes, please.

22 THE WITNESS: What's that?

23 BY MR. HARRIS:

24 Q You can use initials. You don't have to say the word.

25 You can spell it out.

1 THE COURT: The jury can read it, can't they?

2 MR. HARRIS: I hope they can see it. So Your
3 Honor, she doesn't have to read it as long as the jury can
4 see it.

5 THE COURT: I would think so. All right. Continue
6 on.

7 MR. HARRIS: Thank you. May the witness be shown
8 Page 418?

9 BY MR. HARRIS:

10 Q Under Section -- the second paragraph where it says,
11 "Ruth."

12 A Can you highlight it for me, please? I --

13 Q Sure.

14 A -- can't read it. Okay.

15 Q You can read this.

16 A "I've heard you speak poorly about our former
17 department chair. If it is true, do you have to
18 apologize? If I point out to him that he is." --

19 Q Again, you can spell it.

20 A "-- he is" -- an expletive face -- "is that just
21 considered an FYI?"

22 Q And who are you referring to here?

23 A Dr. Wu.

24 Q Dr. Wu?

25 A Uh-huh.

1 Q Okay. Can you go down to the last paragraph on this --
2 the next to the last paragraph on this page?

3 A Could you highlight it for me, please?

4 Q Sure.

5 A "In the last 60 seconds I've had 20 to 25 hateful
6 thoughts about him and his gangster pencil pushers
7 in the dean's office. Burning in hell is
8 preferable to forgiving them."

9 Q And then you're referring to Dr. --

10 A No, I was referring Greg Wacker.

11 Q Okay. And those are the Facebook messages you sent or
12 exchanged between you and Abbey Foreman?

13 A That is correct.

14 Q Do you have any other messages that -- that you sent
15 regarding or addressing your feelings about Dr. Wu, Ms.
16 Walton or Greg Wacker?

17 A I don't -- I don't remember. I know it was a long
18 exchange. I don't -- I'm not going to say no. If you show
19 me, I'll tell you whether I said it or not.

20 Q Do you have any other Facebook pages with other people?

21 A I'm sorry?

22 Q Facebook messages with other people other than Abbey
23 Foreman and the other young lady that I showed you earlier?

24 A I don't -- do I have other Facebook messages?

25 Q Where you're talking about Dr. Wu, Greg Wacker or

1 Deirdre Walton, Ms. Briggs?

2 A Not at -- no. Those are two people I worked with.

3 MR. HARRIS: May the witness be shown Briggs423?

4 The second paragraph where it says, "Ruth." Would you
5 highlight that, please?

6 BY MR. HARRIS:

7 Q Again, you don't have to read this one.

8 THE COURT: Yeah, this is somebody writing
9 something to her?

10 MR. HARRIS: No, she's writing it.

11 THE COURT: It is? All right. All right. Okay.

12 MR. HARRIS: Ms. Briggs is writing.

13 BY MR. HARRIS:

14 Q Correct, Ms. Briggs? This is what you wrote to Abbey
15 Foreman, correct?

16 A It is.

17 Q All right.

18 A Can I see the date, please?

19 Q Sure.

20 A Okay. Thank you.

21 Q Do you see the date?

22 A Yes. Thank you.

23 Q July 14th, 2016?

24 A Thank you.

25 Q Okay. So the individual that you were referring to, who

1 are they?

2 A Abbey was a pre -- Abbey Foreman was -- she wasn't there
3 then, but she worked -- she was a non-tenure track professor
4 in the department of computer information sciences.

5 Q Okay. She was a former colleague in the department?

6 A She was a -- she was a non-tenure track professor in the
7 department of computer information sciences with whom I -- I
8 became friends.

9 Q Okay. In the email -- Facebook exchange message that
10 you had with Ms. Foreman, in the previous text that we just
11 went over, that you did not read aloud, who were you
12 referring to when you were talking about the individuals, the
13 employees, that you use the profanity in reference to?

14 A Can you show it to me again?

15 Q Sure. We'll highlight that. The employees that you're
16 referring to, who are you referring to?

17 A I don't know. Greg.

18 Q Just Greg?

19 A That's all I can think of now. It's had a -- it's a
20 long time ago.

21 THE COURT: Okay. You can take that down.

22 MR. HARRIS: Thank you.

23 THE WITNESS: The language is embarrassing.

24 THE COURT: Anything further?

25 MR. HARRIS: Briefly, Your Honor. I think I'm

1 almost finished.

2 THE COURT: You're finished?

3 MR. HARRIS: I think I'm almost finished. Let me
4 confer with Counsel.

5 (Participants confer)

6 MR. HARRIS: I have no further questions.

7 MR. MUNSHI: Your Honor, I just have a few
8 questions, if I may proceed?

9 REDIRECT EXAMINATION

10 BY MR. MUNSHI:

11 Q Ruth, let's just get clear on these Facebook messages,
12 okay? You were just shown messages between you and Abbey
13 Foreman. Is Abbey Foreman a friend of yours?

14 A She's a friend of mine.

15 Q Were these messages that you just saw, were they on
16 Messenger, private Messenger, or were they social posts for
17 the --

18 A They were --

19 Q -- whole world to see?

20 A They were -- no, they were private posts. Private
21 messages through Messenger.

22 Q Between you and Abbey Foreman only?

23 A Between Abbey and Fore -- Abbey Foreman and I.

24 Q Did you ever send these messages to Dr. Wu?

25 A No.

1 Q Did you ever send these messages to Ms. Walton or Greg
2 Wacker or anybody else at Temple?

3 A No.

4 Q Did you ever intend for anybody else to see these
5 messages?

6 A No.

7 Q Okay. You were shown a series of your performance
8 evaluations, Ruth, and you were shown the grades that you
9 received, but let's actually look at the full evaluations.
10 Okay?

11 A Okay.

12 Q So let's look at Defendant's Exhibit 10 if we can, and
13 we'll put it up on the screen.

14 A Okay.

15 Q For you. And Defendant's Exhibit 10 is one that you
16 were shown before, it's an evaluation from the year of 2004
17 to 2005. Do you see that?

18 A That is correct.

19 Q Okay. And can you tell us who the reviewer is on this
20 page at least?

21 A Allen Nicholson.

22 Q Allen. And Allen Nicholson was an interim dean for a
23 period?

24 A Right. Right when I first started, yes.

25 Q And the final rating you were shown before is a 2.83. Do

1 you see that?

2 A I see that.

3 Q All right. So let's just be crystal clear about what a
4 2.83 is according to Temple's form. A 3.0, do you see that
5 on the bottom?

6 A Yes.

7 Q Can you read for us what a 3.0 score is?

8 A Performance meets job expectations, good solid.

9 Q And there's the next page says performance, right? And
10 what is a 2.0 score?

11 A A what?

12 Q A 2.0.

13 A Performance meets minimal expectations and standards.

14 Q Okay. So the 2.83 that you received is between a 2 and
15 a 3 --

16 A That's correct.

17 Q -- correct?

18 A That's correct.

19 Q Is it closer to a 2 or closer to a 3?

20 A Closer to a 3.

21 Q Okay. On that second page, and this is Defendant's
22 Exhibit 10, which is from 2004 to 2005, do you see it says
23 "goals/project 2?" Number 2?

24 A Yes.

25 Q And can you read what "goals/project 2" is according to

1 Temple's evaluation?

2 A I'm sorry, what was the question?

3 Q Can you read what the goal is, it says assist and
4 support?

5 A Assist and support the dean during university activities
6 such as commencement, award activity -- award ceremonies, et
7 cetera.

8 Q And tell us what rating you received for that?

9 A A 4.0. 4.0.

10 Q And earlier it said what a 4.0 was on Temple's --

11 A Yes.

12 Q -- rating scale and can we go see how they describe what
13 a 4.0 is on the first page? On the first page. Can you read
14 what a 4.0 is?

15 A Performance consistently far exceeds expectations.

16 Q Can we go to page -- that's fine. Can we go to page 5
17 of this evaluation, please?

18 A Uh-huh.

19 Q And show you -- let's go to core competency number 7 on
20 the very bottom of the page.

21 A Uh-huh.

22 Q And can you read for us what the core competency number
23 7 according to Temple is?

24 A Interpersonal skills, ability to work effectively with
25 others using empathy and self-regulation to manage

1 interactions with others.

2 Q And can you tell us what rating you received for that
3 core competency?

4 A A 4.0.

5 Q Let's go to your next evaluation, which is Defendant's
6 Trial Exhibit 11. And can you tell us what your Defendant's
7 Exhibit 11 is for?

8 A Can you highlight it for me?

9 Q Yep.

10 A From 7/2005 to 6/2006.

11 Q And were you working in the dean's office at that time?

12 A Yes, I was.

13 Q Okay. And can you tell us who the reviewer is on the
14 first page?

15 A Keya -- Keya Sadeghipour.

16 Q Is it Dean Sadeghipour who you mentioned earlier?

17 A Yes.

18 Q Let's go to the third page of your evaluation, please.

19 And let's go to Goals/Project Number 3.

20 MR. MUNSHI: And if we can highlight that.

21 Q Can you read what Goals/Project Number 3 is --

22 A Uh-huh.

23 Q According to Temple's evaluation?

24 A Okay.

25 "Bring" -- "bring the Dean's Office to a

1 professional status, making sure students, faculty,
2 staff are all treated professionally and with
3 respect. This includes, but is not limited to
4 physical appearance of the office."

5 Q And can you read what Dean Sadeghipour's reviewer
6 comments was?

7 A 4.0.

8 Q And how about his comments?

9 A "She is doing a very good job."

10 Q Let's go to the next year. Let's go to Defendant's
11 Trial Exhibit 12, please. And the reviewer is George
12 Palladino.

13 A That's --

14 Q Is that right?

15 A Yes.

16 Q Let's go to the third page of this evaluation and see
17 what the evaluation says. Part 3, Competency, Competency
18 Number 1. Competency --

19 A Can you highlight it for me, please?

20 Q Yep.

21 A Okay. Thank you.

22 Q We got it. Can you read for us what Competency Number 1
23 is, according to Temple?

24 A "Client, customer service orientation, focuses
25 one's efforts on exceeding the customer's needs,

1 takes personal responsibility for dealing with
2 and/or correcting customer issues and concerns."

3 Q "Takes personal responsibility for dealing with," right?

4 A Right.

5 Q What score did you get?

6 A A 3.5.

7 Q Let's go to Page 6 of this same evaluation, please? And
8 let's take at Core Competency Number 10, and core -- first,
9 let's look at Number 10, then we'll look at Number 11.

10 A Okay.

11 Q Core Competency Number 10, Ruth. Please read for us
12 what Temple's form says and the rating that you received.

13 A "Ethics, demonstrates the ability to adhere to" --
14 "to adhere to an appropriate and effective set of
15 core values and beliefs, and acts in line with
16 those values."

17 Q What score did you get?

18 A A 4.0.

19 Q Let's look at Competency Number 11, right underneath.

20 A Uh-huh.

21 "Interpersonal skills, ability to work effectively
22 with others, using empathy and self-regulation to
23 manage interactions with others."

24 Q What score did you get for that?

25 A A 3.5.

1 Q Let's go to the next page, core competency, according to
2 Temple, Competency Number 13, please. And if you can read
3 that one out loud, and tell us what score you received for
4 that category.

5 A Yes. Yes.

6 "Respect and valuing diversity, demonstrates the
7 ability to recognize, understand, and accept and
8 appreciate the value of workplace diversity.

9 Respects the practices, value" -- "expect" --

10 I'm sorry.

11 "Respects the practices, values, and points of view
12 of others, individual" -- "other individuals and
13 groups."

14 Q Let's go to your next evaluation. Let's look at
15 Defendant's Trial Exhibit 13, please. And tell us the year.

16 MR. MUNSHI: If we can highlight the year for this
17 evaluation.

18 THE WITNESS: 2007 to 2008.

19 BY MR. MUNSHI:

20 Q And can we say who the reviewer is for this evaluation?

21 A Can -- I think it's -- it's cut off. I think it's Dr.
22 Palladino.

23 Q Yeah, we can show you that.

24 A Uh-huh.

25 Q Reviewer, George Palladino.

1 A Okay. Yes. Uh-huh.

2 Q And let's just look at your employee comments --

3 A Uh-huh.

4 Q -- for this evaluation.

5 A Yes.

6 Q And read our employee comments, if you will, please.

7 A "Although I have raised my concerns, it remains an
8 honor to serve the" -- "to service with two strong
9 and capable leaders, Dean Dighe and Vice Dean
10 Palladino. I stand in awe as I watch them
11 transform our college in less than two years.
12 Bravo. Please see my comments in the individual
13 areas on which I was evaluated, most of which do
14 not reflect the responsibilities and functions for
15 which I volunteered during the Summer of 2006, and
16 with who administrators and staff members were not
17 present. One had" -- "one had resigned, and the
18 other had went out on FMLA. For approximately two
19 months, I performed the essential functions
20 required for my position, as well as the other two
21 staff members. My attempts to discuss this issue
22 are not taken credible, although I strive to
23 improve my" -- "my improvement."

24 Q And then, for this year, your final score is a 2.7.

25 A That --

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Q Do you see

A That is correct.

Q Okay. Now, Ruth, let's just also be crystal-clear about this. All of these evaluations that we're looking at are prior to you working under Dr. Wu, correct?

A They're -- correct, yes.

Q At any point, did you go to Human Resources to complain about Vice Dean Palladino?

A No, I did not.

Q Did you ever go to Human Resources to complain about --

A No, I did not.

Q -- Dean Dighe, Dean Sadeghipour, Dean Nicholson?

A No, I did not.

Q Did you ever go to Sandy Foehl or anybody in the EEO Office --

A No.

Q -- to complain about Dean Sadeghipour, Dean Nicholson, Dean Dighe, Vice Dean Palladino?

A No, I did not.

Q Let's look at Page 3 of -- I'm sorry. Let's look at the next -- let's look at Page 6 of this same evaluation. And again, we're talking about core competencies. Let's look at the third Core Competency, "Clients/Customer Service Orientation," and see what kind of score you got for that.

1 Please read that out loud?

2 A "Focuses on" -- "efforts on exceeding the
3 customer's needs, take personal responsibility for
4 dealing with and/or correcting customer service
5 issues and concerns."

6 Q And your score?

7 A 4.0.

8 Q Okay. And let's look at your last evaluation,
9 Defendant's Trial Exhibit 14. And if you can tell us the
10 year for this evaluation?

11 A 2008 -- oh, I'm -- yeah, 2008 to 2009.

12 Q And the score that you received this year was --

13 A I don't -- can't see it. I'm sorry.

14 (Participants confer)

15 A 2.88.

16 Q Okay. And again, this is between a 2.0 and a 3.0,
17 correct?

18 A Correct.

19 Q Closer to 2 or closer to 3?

20 A To 3.

21 Q Let's go to Page 4 of this evaluation.

22 (Pause in proceedings)

23 Q Actually, I meant to say Page 2. Sorry. And
24 "Goals/Project Number 1." Can you tell us what Vice Dean
25 Palladino's score and comments were?

1 A Yeah. Schedule required meetings well in advance for
2 each term, 3.0, "Much improved this year."

3 Q And 3.0, we already talked about, is good
4 (indiscernible) correct?

5 A Right.

6 Q Okay. And Goal/Project Number 2, according to Vice Deal
7 Palladino?

8 A "Become proficient in NSF Fast Lane submissions," 3.0.
9 "Has learned the basics."

10 Q Let's go to Page 4 of this evaluation from Vice Dean
11 Palladino, please. And let's look at Core Competency Number
12 4, please. And please read out loud what --

13 A Okay.

14 Q -- George Palladino said.

15 A "Affects, demonstrates the ability to adhere to
16 appropriate and effective set of core values and
17 beliefs, and acts in line with all the" -- "with
18 those values."

19 Q And the score you received?

20 A 3.5.

21 Q And that's between a 3.0 and a 4.0, correct?

22 A Correct.

23 Q Okay. And Core Competency Number 6 on that page?

24 A "Respect and valuing diversity. Demonstrates the
25 ability to recognize, understand, and accept and

1 appreciate the value of workplace diversity.

2 Respects the practices, values, and points of

3 other" -- "other individuals and groups."

4 Q Score?

5 A 3.5.

6 Q Okay. And let's just go to the previous page. On the
7 bottom of the previous page, it says, "Competency Number 3."

8 And can you read that for us, please?

9 A "Client, customer service orientation, focuses
10 one's efforts on exceeding the customer's needs.
11 Takes personal responsibility for dealing with
12 and/or correcting customer service issues and
13 concerns."

14 Q And your score?

15 A A 3.0.

16 Q A good, solid performance, according to Temple, correct?

17 A Correct.

18 Q Let's go to what George Palladino says in his comments
19 on the next page, regarding that particular competency that
20 we just read about, personal responsibility. Can you read
21 that for us?

22 A "Ms. Briggs takes the time to make all welcome and
23 important, regardless of" --

24 I don't know what that date -- oh -- oh, it's -- oh, I
25 see.

1 "-- regardless of position. An admirable trait."

2 Q Okay. All right. Ruth, you were shown, on your cross-
3 examination, an email that you sent to Deirdre Walton in
4 April of 2014, where you tendered your resignation, correct?

5 A Yes.

6 Q Did that happen before you were handed a termination
7 letter by Greg Wacker or after?

8 A No, it was two days after, I believe.

9 Q Your resignation letter was after.

10 A It was an email, yeah. Yeah, a resignation email.

11 Q And that's the same termination letter that we've
12 already seen a few times, correct?

13 A Right.

14 MR. MUNSHI: Okay. That's all I have, Your Honor.
15 Thank you.

16 THE COURT: Anything further?

17 MR. HARRIS: Limited, Your Honor.

18 THE COURT: Pardon?

19 MR. HARRIS: Yes. If I may?

20 RE CROSS-EXAMINATION

21 BY MR. HARRIS:

22 Q Ms. Briggs, as I understand your performance evaluation
23 -- and they've been identified as D-10 through, I believe, D-
24 17 -- you would agree with me that, certainly, the areas --

25 A Can you -- I'm just, once again, having a hard time

1 hearing you. Sorry.

2 Q You will agree with me that the areas that counsel went
3 over with you were the areas that you scored well, correct?

4 A Yes.

5 Q But you also will agree with me, in those performance
6 evaluations, the vast majority of those categories, you
7 scored below a 2.0, correct? Or excuse me, below a 3.0.

8 A Yes.

9 Q And so your final rating was less than a 3.0, correct?

10 A Yes.

11 Q On every single one, prior to you actually being
12 supervised by Dr. Wu.

13 A Yes.

14 Q Okay. And so 3.0 reads, "Performance meets job's
15 expectations." So you never met the job expectation before
16 you actually were reviewed by Dr. Wu, correct?

17 A For -- you mean the final score, you're talking about.

18 Q Correct.

19 A Right.

20 Q The final score.

21 A Yes.

22 MR. HARRIS: Okay. Thank you. I have no further
23 questions.

24 MR. MUNSHI: I'm sorry. I just have one question,
25 in light of that last one.

1 FURTHER REDIRECT EXAMINATION

2 BY MR. MUNSHI:

3 Q The 3.0 score, Ruth, that Mr. Harris just said is
4 performance meets job expectations. 2.0 means performance
5 meets minimal expectations and standards. That was what you
6 saw on the evaluations, correct?

7 A Yes.

8 Q And did you ever get an evaluation where you were under
9 2.0 --

10 A No.

11 Q -- at any point in your career at Temple?

12 A No.

13 MR. MUNSHI: Okay. I have no further questions.
14 Thank you.

15 THE COURT: The witness may step down.

16 THE WITNESS: Thank you, sir.

17 (Witness excused)

18 THE COURT: Call your next, please.

19 MS. MATTIACCI: Your Honor, the plaintiff calls
20 Deirdre Walton.

21 MS. SATINSKY: Your Honor, may I step outside to
22 alert the witness?

23 THE COURT: Yes.

24 (Pause in proceedings)

25 MR. MUNSHI: Your Honor, may I just retrieve Ms.

1 Briggs' glasses?

2 MS. BRIGGS: I think my glasses -- oh, wait a
3 minute. I found them. I'm sorry. I'm sorry.

4 (Pause in proceedings)

5 THE COURT OFFICER: Please raise your raise your
6 right hand, place your left hand on the Bible.

7 DEIRDRE WALTON, WITNESS FOR THE PLAINTIFF, SWORN.

8 THE CLERK: Please state your full name for the
9 record.

10 THE WITNESS: Deirdre L. Culbreath Walton.

11 MS. MATTIACCI: May I proceed, Your Honor?

12 THE COURT: Yes.

13 DIRECT EXAMINATION

14 BY MS. MATTIACCI:

15 Q Good afternoon, Ms. Walton.

16 A Good afternoon.

17 Q I just have some questions for you today in regards to
18 Ms. Briggs' claims. You're familiar with them, correct?

19 A Yes, I am.

20 Q And you are currently employed by Temple?

21 A Yes, I am.

22 Q You were hired in 1999. Is that correct?

23 A That's true.

24 Q You're currently the director of Labor Relations?

25 A Labor and Employee Relations.

1 Q Is this a position that you have held since 2008?

2 A Around there, yes.

3 Q And this is considered a Human Resources position?

4 A Yes, it is.

5 Q Is it true that part of your job is to ensure that the
6 workplace is free of harassment for employees?

7 A Well, that, and to make sure that our employment -- that
8 proper employment practices are upheld, as well.

9 Q Would you also agree that your job is to ensure that the
10 workplace is free of retaliation?

11 A Absolutely, yes.

12 Q And in your capacity as an HR executive, you are
13 familiar with the laws that govern discrimination, correct?

14 A Yes, I am.

15 Q And you're also familiar with the laws that govern
16 retaliation, correct?

17 A Yes, I am.

18 Q And the laws that govern hostile work environment?

19 A Yes.

20 Q You have taken classes on Title 7, correct?

21 A Yes, I have.

22 Q And you understand that Title 7 is the federal law that
23 guards against sex discrimination, correct?

24 A Yes.

25 Q Or prohibits against sex discrimination, I should say.

1 And, in addition, you are familiar with the Age
2 Discrimination and Employment Act, correct?

3 A Yes, I am.

4 Q Known as the "ADEA"?

5 A Yes.

6 Q And you know that that is the federal law that prohibits
7 age discrimination, correct?

8 A Yes.

9 Q And you are -- you also know that under both of these
10 laws that one cannot retaliate or the employer cannot
11 retaliate against an employee if they bring complaints of age
12 or sex discrimination?

13 A Yes.

14 Q Do you still report to Sharon Boyle, the associate vice
15 president for Human Resources?

16 A Yes, I do.

17 Q And was that the case in 2014; did you report to Sharon
18 Boyle?

19 A Yes, I did.

20 Q And Ms. Boyle, reports to Mr. Ken Kaiser, the CFO,
21 correct?

22 A Yes.

23 Q And Mr. Kaiser, he reports to the president of the
24 university?

25 A Yes, he does.

1 Q So, you are just four levels or three levels below the
2 president of the university?

3 A I guess you could say that, yes.

4 Q One of the things you are in charge of -- am I right --
5 is the EEO policies of Temple?

6 A The Human Resources Department is responsible for making
7 sure that we appear -- uphold the practices -- the employment
8 practices to protect the EEO, yes.

9 Q Okay. And if an employee comes to you -- and when we
10 say "EEO" that means equal employment opportunity, correct?

11 A Yes.

12 Q And that can include claims of sex or age
13 discrimination, correct?

14 A Yes.

15 Q And can include claims of retaliation, correct?

16 A Yes.

17 Q And hostile work environment, yes?

18 A Yes.

19 Q So, if an employee comes to you with a claim or
20 complaint concerning one of those topics, you would make sure
21 that they are -- that those claims are investigated, correct?

22 A Yes, I would.

23 Q Now, do you investigate those claims of discrimination?

24 A I don't, myself, investigate claims of discrimination.
25 We have an office at the university that does that and that's

1 our Equal Opportunity Compliance Office.

2 Q Okay. So, you don't actually investigate those claims;
3 the EOC Office would?

4 A Yes.

5 Q So, since you don't investigate claims of
6 discrimination, it would not be possible for you to determine
7 whether somebody's claims of discrimination had merit,
8 correct?

9 A That's true.

10 Q I'd like you to take a look at a document. There's some
11 binders in front of you that have a lot of documents. The
12 one document says -- or binder says "Plaintiff's Exhibits."
13 If you could find that one.

14 A Okay.

15 Q Now, you would agree with me that in 2013 and in 2014,
16 Ms. Briggs brought claims of discrimination to your
17 attention, correct?

18 A No, she did not.

19 Q So, since she did not bring claims of discrimination to
20 your attention, then it would follow that you did not do an
21 investigation into her claims of discrimination, correct?

22 A Correct.

23 Q And you wouldn't have done the investigation anyway, to
24 determine if there was merit, because you don't do the
25 investigations, correct?

1 A Correct.

2 Q Okay. If you can take a look at Document P-62. It's
3 going to be Number P-26 in your tabbed booklet there.

4 MS. MATTIACCI: Your Honor, I believe this is
5 already in evidence. Can I have permission to publish?

6 MR. HARRIS: No objection, Your Honor.

7 THE COURT: Yes.

8 BY MS. MATTIACCI:

9 Q Okay. Now, do you recognize this as Defendant Temple
10 University's -- it's:

11 "Defendant Temple University and the Commonwealth

12 System of Higher Education, Objections and

13 Responses to Plaintiff's Interrogatories, Set 1."

14 Do you see that?

15 A Yes, I do.

16 Q And you know -- am I correct -- that interrogatories are
17 questions that one party poses to the other in the course of
18 litigation and then those answers are given to those
19 questions by the other party, correct?

20 A Yes.

21 Q And you've been involved in answering these
22 interrogatories in this case and other cases, correct?

23 A Yes, I've been involved, but that's handled by our
24 counsel's office.

25 Q Okay. Well, these interrogatories that are in this

1 particular case that were sent to Temple to answer and one of
2 the questions -- I'll get to the question -- it's on Page 7.

3 If I could direct your attention to Number 5. Do you see
4 that?

5 A Yes.

6 Q And we ask Temple to describe in detail all steps taken
7 by defendant to investigate Plaintiff's claims of
8 discrimination, including who was interviewed, any notes,
9 including handwritten notes, created as part of the
10 investigation, any conclusions reached, and disciplinary
11 actions taken as part of the investigation.

12 And the answer that Temple gave was that Temple
13 University objects to Interrogatory Number 5, to the extent
14 that it seeks information and documents protected from
15 disclosure by the attorney-client privilege and/or
16 attorney-client work product. Subject to and without waiver
17 or limitation of the foregoing objections and conditions,
18 Temple University responds as follows.

19 And I want to direct your attention -- they start
20 answering some information about other folks like Sandra
21 Foehl. And their first answer there is:

22 "Temple University investigated Briggs' claims of
23 discrimination and found them to be meritless."

24 Do you see that?

25 A Yes.

1 Q Okay. And then if you scroll down to the next page --
2 or I'm scrolling -- you're just turning -- to the next page,
3 at the top where it says, 2013. It says:

4 "In 2013 and 2014, Briggs raised her claims of
5 discrimination with Deirdre Walton, Temple
6 University, Department of Labor and Employee
7 Relations."

8 Do you see that?

9 A Yes, I do.

10 Q But a few moments ago, when I asked you if in 2013 and
11 2014 if Briggs raised her claims of discrimination with you,
12 you said that was not true.

13 A Yes, that was not true.

14 Q So, the answer that is given in the interrogatory is
15 actually false, correct?

16 A Yeah, I wouldn't say it was false, mainly because she
17 brought to my attention, the employment practices and the
18 work environment in the office that she worked in, but not
19 discrimination complaints.

20 Q Okay. And then in Temple's answers when they go on to
21 say that Ms. Walton found no merit in Ms. Briggs' claims,
22 that statement in Temple's interrogatory response is also
23 false, correct?

24 A In regards to the claims of her employment situation, I
25 found them to be meritless, but she didn't specifically say

1 that she was being discriminated against.

2 Q Well, in Temple's own answers to their interrogatory
3 requests -- to our interrogatory requests, they say Briggs
4 raised her claims of discrimination with Ms. Walton. So,
5 we've already established that that is not true.

6 Ms. Walton -- the statement, "Ms. Walton found no merit
7 to Ms. Briggs' claims," that refers to the claims of
8 discrimination.

9 That would be a fair reading of those two sentences,
10 would you agree?

11 A I would, yes.

12 Q And would you agree that that's a false statement to say
13 that you found no merit in Ms. Briggs' claims of
14 discrimination because you didn't make a decision one way or
15 the other, correct?

16 A That's true.

17 Q Okay. Now, if you scroll down to the end of this
18 document, you know -- or do you know that these answers are
19 not just answers that Temple gives without any verification.
20 These are answers by Temple under oath, where they're
21 certifying that these answers are true under oath. Do you
22 realize that?

23 A Yes.

24 Q And the certification that Temple attached to these
25 interrogatories was your certification, which I'm showing

1 here -- sorry -- verification:

2 "I, Deirdre Culbreath-Walton, hold the position of
3 director of employee relations with Temple
4 University of the Commonwealth System of Higher
5 Education, Temple University, and as such, I duly
6 authorize to execute this verification on behalf of
7 Temple University."

8 And then it says:

9 "I have reviewed Plaintiff's interrogatories and
10 have determined that no one individual at Temple
11 University has personal knowledge of all matters
12 covered by the interrogatories; consequently,
13 Temple University has gathered facts and
14 information from individuals with actual knowledge
15 relevant to this case sufficient for an authorized
16 employee of Temple University to respond to
17 Plaintiff's interrogatories. I certify that the
18 foregoing factual answers to Plaintiff's
19 interrogatories are true and correct to the best of
20 my knowledge, based upon the information presently
21 available to me. Subject to the terms of this
22 verification, I declare, under penalty of perjury,
23 that the foregoing factual responses are true and
24 correct to the best of my knowledge for information
25 and belief."

1 And that is your signature?

2 A That is.

3 Q Now, you're familiar with the idea of doing
4 investigations into claims of discrimination, correct?

5 A Yes, I am.

6 Q You would agree with me that in order to do an
7 appropriate investigation into claims of discrimination, it
8 should be thorough and it should be fair, correct?

9 A Yes, it should.

10 Q The person investigating the claims of discrimination
11 should be neutral, correct?

12 A Yes.

13 Q That person should not have a bias for or against the
14 person that is making the complaint or the person that's
15 being investigated, correct?

16 A Yes.

17 Q And in terms of doing a full and complete investigation,
18 do you agree with me that it would be important for all
19 witnesses that are relevant to the situation to be
20 interviewed, correct?

21 A Yes.

22 Q And that during those interviews, some sort of notes
23 should be taken of the interviews that occur, correct?

24 A Yes.

25 Q And you would agree with me, as well, that in order to

1 do a fair and thorough investigation, all relevant
2 documentation should be gathered and reviewed as part of the
3 investigation, correct?

4 A Yes.

5 Q At the end of the investigation, as part of a fair and
6 thorough investigation, there should be a summary of the
7 investigation that is pulled together, correct?

8 A Yes.

9 Q And the summary should be reduced to writing, correct?

10 A Yes.

11 Q And it should be reviewed for accuracy, correct?

12 A Yes, it should.

13 Q It should also be reviewed to make sure there is no
14 bias, correct?

15 A Yes.

16 Q And the person who had brought the claim or the original
17 complaint should be advised of the results of that
18 investigation, correct?

19 A Yes.

20 Q And if there's any disciplinary action to be taken as a
21 result of the investigation, that should be assessed,
22 correct?

23 A Yes, it should be assessed.

24 Q I'd like to turn your attention to P-3 of -- in that
25 same binder, Tab Number 3, please. Ms. Walton, this is a

1 disciplinary report that was issued to Ruth brings. The date
2 at the top is 11/09/2011. Do you see that?

3 A Yes, I do.

4 Q And it was issued by her supervisor, Dr. Wu.

5 Do you have any idea why this disciplinary action was
6 issued to Ms. Briggs?

7 A Yes, I do.

8 Q And what is that reason?

9 A From my memory and understanding, Ms. Briggs was
10 disciplined for unprofessional, inappropriate behavior.
11 There was a blowout between her and Dr. Wu, where she became
12 loud and inappropriate with her supervisor.

13 Q Is it Temple's policy that if disciplinary action is
14 issued, that there should be supporting documentation to
15 support the reason why the discipline was issued?

16 A Usually what happens is there should be a statement
17 that's made, but it's not necessarily a part of the
18 disciplinary report.

19 Q A -- okay. Go ahead.

20 A But, usually, when a Department is running a discipline
21 by me, they give me the details of the event and what took
22 place and we determine what that discipline is going to be,
23 but we don't actually put the specifics of the details in the
24 disciplinary report.

25 Q Why not?

1 A We just don't find it's necessary to put all the details
2 into it. We ask that the supervisor or the manager keep
3 documents for themselves on the situation.

4 Q Doesn't -- does HR retain any of the documents?

5 A At times, yes, or the manager or the business manager,
6 like Greg Wacker, who assisted Dr. Wu, would have kept those
7 documents.

8 Q Is there a uniform policy at Temple that says that when
9 discipline is issued, the supporting documentation is kept at
10 HR or kept at the manager's office or is it at the discretion
11 of HR and the manager?

12 A It depends. There's not always supporting documents.
13 In this situation where Ms. Briggs and Dr. Wu had this
14 inappropriate interaction where she yelled at him, it was Dr.
15 Wu's statement that he made to Greg; he sent him an email.
16 So, there's no policy that says that you have to keep
17 something in the file. We keep the discipline in the file.

18 Q Did you say that Greg Wacker sent an email to Dr. Wu
19 about the discipline?

20 A No, what I'm saying is that Dr. Wu -- and I'm
21 speculating here, because I don't know for sure -- I know
22 that Dr. Wu discussed the situation with Greg Wacker. He may
23 have done it by email, but I know that he discussed it with
24 Greg Wacker and they discussed the situation and they
25 determined, based on that situation, to issue a discipline.

1 Q Were you the HR person that approved this write-up?

2 A I'm the HR person that they talked to and I counseled
3 them on this write-up, so I advised them, yes.

4 Q Is that the policy of Temple that an HR person should
5 review any write-up before it is issued to an employee?

6 A We don't have a specific policy that says that every
7 write-up should be reviewed by HR, but it's a practice.

8 Q Okay. So, when you're saying that -- who contacted you,
9 Dr. Wu or Mr. Wacker?

10 A Mr. Wacker did.

11 Q And when Mr. Wacker relayed to you that Ms. Briggs had
12 blown up, you said, at Dr. Wu --

13 A Yes.

14 Q -- did you then do an investigation into that?

15 A No, I didn't do an investigation. Greg told me he went
16 down and he talked with Dr. Wu. There may have been
17 witnesses and he came back to me and he said this is what
18 took place. This is what I want to do. What do you think
19 about that? And I gave him my advice.

20 So, no, I don't investigate every time a manager,
21 supervisor calls me and tells me of a circumstance.

22 Q Did you ever speak to Ms. Briggs about this?

23 A I believe Ms. Briggs gave me a call afterwards, yes.

24 Q Okay. But beforehand, before issuing her a disciplinary
25 action for her conduct, did you call her or visit her to get

1 her side of the story?

2 A No, I did not.

3 Q Why not?

4 A Because that -- well the -- I'm sorry -- well, that
5 would have been the responsibility of Greg Wacker.

6 Q Did Greg Wacker speak with her?

7 A That's my understanding.

8 Q Did you create any documentation of these conversations
9 that you had with Mr. Wacker?

10 A I don't think so.

11 Q You didn't create a note to the file or email to
12 memorialize it?

13 A I'm -- I don't think so. I think he called me. We had
14 a conversation. I may have made notes to remind myself, but
15 I don't think I made any documentation or anything that I
16 would put into a file.

17 Q How about Mr. Wacker, did you ask him to send you an
18 email or to document what his purpose was in issuing this
19 write-up?

20 A No, I didn't.

21 Q Did he tell you that the circumstances around this
22 write-up were when Dr. Wu relayed to her that in China, they
23 put women out to pasture at 55?

24 A No, I don't recall that.

25 Q And do you recall being told that in response, Ms.

1 Briggs said, Well, with all due respect, we are not in China;
2 we are in America.

3 A I recall that specific story, because it was relayed to
4 me by Ruth Briggs, but I don't recall that this write-up was
5 for that interaction.

6 Q But, yet, we don't have any email, document, note to the
7 file, nothing, to support what you're saying right now, that
8 it had to do with a time in which Ms. Briggs got loud and
9 blew up at Dr. Wu?

10 A I, per se, don't have anything in my file. I just have
11 the conversation that I had with Greg Wacker.

12 Q Then you said that afterwards, you did speak with Ms.
13 Briggs about this write-up, correct?

14 A Yes.

15 Q And she told you that she felt that this was
16 retaliatory, correct?

17 A I don't recall that. Many times after Ms. Briggs
18 received a discipline, she would call my office to complain
19 about it and she would tell me that, you know, that it wasn't
20 her fault, that, you know, she didn't do anything wrong.
21 With this specific discipline, I don't recall what her
22 argument with Dr. Wu was, but after off of her disciplines,
23 she called me.

24 Q How many disciplines did Ms. Briggs get?

25 A From my memory, I think it was about four.

1 Q Okay. And this particular one was the very first one,
2 correct?

3 A From my memory, yes.

4 Q At this point in time, she had been at Temple for 10
5 years?

6 A I'm not sure of her start time, but she had been here a
7 while.

8 Q So, when this employee who has been there for 10 years
9 gets their first disciplinary write-up --

10 MS. MATTIACCI: I'll move on, Your Honor.

11 BY MS. MATTIACCI:

12 Q You did become aware -- oh, I'm sorry, let me take that
13 off -- you did become aware of the -- of what we were just
14 talking about, that Ms. Briggs was upset that Dr. Wu said
15 that women in China are put out to pasture at her age,
16 correct?

17 A There was a time, yes, when Ms. Briggs contacted me and
18 relayed that story to me.

19 Q Okay. And you understood that to be a sexist and ageist
20 comment, correct?

21 A When she initially called me, I wasn't -- she basically
22 relayed the story to me. I told her I would look into it.
23 When I talked with -- just to back up a little bit -- she
24 also explained to me that there's an office full of people
25 and that he was relaying that conversation to the group of

1 people. She said that she was offended by it.

2 I looked into that situation, into that story. I gave
3 Greg Wacker a call, as I always do when there's an issue, and
4 Greg looked into it. He found out that he was relaying a
5 story about how things are handled with women in his
6 homeland.

7 Q Okay. So, you did recognize it as a comment, because
8 she expressed that she was offended by the comment?

9 A I recognized that Ruth Briggs had a problem with the
10 comment, yes.

11 Q And you also understood that in response, Ruth Briggs
12 opposed the comment to Dr. Wu and said, With all due respect,
13 we're not in China, correct?

14 A I believe, from my memory, I'm not sure, but I know that
15 she did not like the comment.

16 Q Okay. So, then, you relayed that information to Mr.
17 Wacker, correct?

18 A Yes, I did.

19 Q Now, why would it -- now, at this point, she is relaying
20 to you a complaint of age and sex discrimination to you as a
21 Human Resources executive or personnel, correct?

22 A Well, I'm -- I didn't take it as a discrimination
23 complaint. I took it as something that she was unhappy with.
24 She did not like the statement herself. No one else in the
25 office had a problem with it. There were others in the

1 office at the time when Dr. Wu made that statement. So, I
2 didn't look at it as a discriminatory complaint.

3 But because she was upset, I did call Greg Wacker and
4 asked him about it and asked him to look into it.

5 Q You knew at the time that Ms. Briggs was 55 -- or 57
6 years old or in her mid- to late-50s, correct?

7 A No, because I didn't know Ms. Briggs' age.

8 Q And did you ever, physically see her?

9 A Yes, I've seen her many times, yes.

10 Q So, we can agree that you didn't believe that she was
11 45, correct?

12 A Honestly, I didn't know what her age was.

13 Q So, you've had physical -- you've seen her physically,
14 you've had interactions with her, and you're telling us that
15 you thought that it was possible that she could be 45?

16 A No, I'm not telling you it's possible. I'm just telling
17 you I did not -- I didn't know what her age was.

18 Q I know. So, I'm not asking you what her age was.
19 I'm asking you whether you believe she could have been 45?

20 A Yes, I did. I mean, I don't -- and, again, I don't look
21 at people and ascertain what their ages are. So, I never
22 knew what Ms. Briggs' age was. I knew she wasn't 20, but I
23 didn't know if she was 40 or 50 or 60.

24 Q Okay. Wouldn't it be important to know what her age was
25 when she's coming to you to complain about a statement that

1 has to do with the age of women in China who are put out to
2 pasture?

3 A Possibly.

4 Q Okay. So, but you didn't think to ask her what her age
5 was?

6 A I didn't ask her, no.

7 Q Isn't it true -- let's go to your deposition for a
8 minute.

9 MR. MUNSHI: May I approach, Your Honor, with that
10 exhibit?

11 THE COURT: You may.

12 THE WITNESS: Thank you.

13 BY MS. MATTIACCI:

14 Q Okay. Ironically, we're going to Page 55.

15 MS. SATINSKY: Counsel, can you tell me what page
16 you're at before it's published.

17 MS. MATTIACCI: 55.

18 BY MS. MATTIACCI:

19 Q Okay. I would like to direct your attention to Page 55.
20 Now, when you -- do you recall having your deposition taken?

21 A Yes, I do.

22 Q And you understood that the deposition is when questions
23 are asked of you under oath and then you give your responses
24 under oath, the same oath that you took here today -- correct
25 -- an oath to tell the truth?

1 A Yes.

2 Q And when you gave that deposition, you were asked:

3 "Did you understand that back in 2014, period, she was
4 in her 50s?"

5 Meaning Ruth Briggs?

6 A Yes.

7 Q And your answer in the deposition was, "Yes."

8 Do you see that?

9 A Yes.

10 Q Okay. So, then, you did know that she was in her 50s in
11 2014.

12 A I didn't know for sure, but I must have -- or made the
13 opinion that she was 50 --

14 Q Okay.

15 A -- when I did the deposition.

16 Q All right. So, now, you know that she's in her 50s.
17 She's relays to you that she's offended by a comment that Dr.
18 Wu makes in regards to putting women out to pasture this
19 their 50s, but you do not, you're saying, recognize that as a
20 complaint of age or sex discrimination?

21 A She didn't come to me with an age or sex discrimination.
22 She was offended. She told me she was upset about the
23 comment. I told her that I would look into it and I talked
24 to Greg Wacker regarding it.

25 Q Why wouldn't you go and talk to Dr. Wu about it?

1 A I didn't go talk to Dr. Wu because I wasn't in the
2 position to talk to Dr. Wu. In the position that I was in, I
3 always directed personnel issues through Greg Wacker. And he
4 had relationships within the school that he looked into those
5 things. He took care of and his responsibility was to take
6 care of personnel issues.

7 Q Well, he was the director of finance and administration
8 for Temple University, correct?

9 A No, for the College of Science and Technology.

10 Q I mean the College of Science and Technology. So, he's
11 in charge of all the financial issues?

12 A Yes, he is.

13 Q He's not a Human Resources professional, correct?

14 A He's not a Human Resources professional, but he does
15 take care of many personnel issues, as to many of our, what
16 we call "business managers" in all of the schools at the
17 university.

18 Q You would never have him do an investigation into a
19 claim of discrimination, correct?

20 A Not into a claim of discrimination, no, not at all. I
21 would have him look into a complaint or an issue that someone
22 brought to my attention, as Ruth did. But once an official
23 claim of discrimination is made, that investigation is done
24 by our Equal Opportunity Compliance Department.

25 Q But when you have somebody look into something, that's

1 very different than doing a fair and thorough investigation,
2 isn't it?

3 A Well, we've trained our managers and our employees that
4 handle these issues at the university to look into -- and
5 what I mean by "look into" is to investigate. So, it may not
6 be the investigation that our EOC Department does, but he did
7 do an investigation. He can -- and so, that's what I mean by
8 "look into" was go and investigate her complaint.

9 Q So, Greg Wacker was supposed to do a full and thorough
10 investigation into Ms. Briggs' complaints of discrimination?

11 A He was supposed to do an investigation into the comment
12 that Ruth Briggs said that Dr. Wu said.

13 Q Okay. Did you ever get an investigative summary back
14 from him in regards to that investigation?

15 A I don't recall getting a summary. What I do recall is
16 that he called me and he told me that he did talk to people
17 in the office who were there when Dr. Wu made the comment.
18 He did talk to Dr. Wu.

19 Most -- I shouldn't say "most" -- what he said was that
20 the comment was made generally to an office of people where
21 he was relaying how things are done in his country. And so,
22 you know, he did talk to Dr. Wu that -- and he explained to
23 him that this may come across as offensive to some people and
24 he just made him aware that Ruth was upset by the comment.

25 Q So, Mr. Wacker talked to Dr. Wu about Ms. Briggs being

1 upset about him making the comment about putting women out to
2 pasture at 55?

3 A He didn't say that -- he didn't specifically talk about
4 Ms. Briggs being upset. What he talked -- what he asked him
5 was, what was the comment? What was made -- I mean, what was
6 said? What were the circumstances? And Dr. Wu answered him
7 back.

8 And he -- and my understanding from Greg -- and this is
9 from my memory -- is he just explained to him that it may
10 come off as offensive.

11 Q But Dr. Wu would have known that the person that he made
12 that comment to was Ms. Briggs, correct?

13 A Yes.

14 Q And now he's having Mr. Wacker come back and question
15 him about this comment, correct?

16 A Yes.

17 Q So, then, he would have known that there was some
18 complaint made by Ms. Briggs about the comments, correct?

19 A Yes.

20 Q Okay. So, this knowledge that is in Mr. -- in Dr. Wu's
21 brain that Ms. Briggs is upset with him with the comment,
22 correct?

23 A Yes.

24 Q Isn't it true that the reason you didn't go down and
25 talk to Dr. Wu is because you feel uncomfortable around Dr.

1 Wu?

2 A No, that's not true. Honestly, I've never -- from my
3 memory, I've never met Dr. Wu face to face.

4 Q Isn't it true that you didn't go and speak to him about
5 this, because you found it difficult to communicate with him?

6 A That's not true.

7 Q Okay. Let's look at your deposition again. And please
8 turn to Page 39. Okay. Do you see Page 39 -- I'm sorry --
9 38? All right. Do you see that? Otherwise, I can go up on
10 the screen. So much is highlighted already.

11 Okay. The question to you on Page 38 -- sorry, I'm
12 trying to go down -- sorry about that -- 38 is -- the
13 question posed to you, and this is in the context of talking
14 about the investigation into the offending comment:

15 "Wouldn't it be easier for you to just talk to Dr.
16 Wu yourself?"

17 And you wrote [sic]:

18 "No, it wouldn't have."

19 And the question to you was:

20 "Why is that?"

21 And you said:

22 "I found it difficult. There were conversations I
23 had with Dr. Wu. I found it difficult from my perspective to
24 communicate with him."

25 Do you see that?

1 A Yes, I do.

2 Q So, you had had discussions with Dr. Wu, but you found
3 it difficult to communicate with him?

4 A But that didn't keep me from -- that's not the reason
5 why I didn't go and talk to Dr. Wu regarding Ruth. It was
6 just easier -- I shouldn't say "easier." It was the practice
7 for Greg Wacker to do those investigations.

8 And correct me if I'm wrong, but I think it states in
9 here that I didn't have a problem talking with him, but it
10 was -- I mean it was difficult to communicate with him.
11 There was a communication barrier, but that wouldn't have
12 kept me from going to talk to him. And I had talked to Dr.
13 Wu several times regarding Ms. Briggs.

14 THE COURT: Okay. Are you saying you had
15 difficulty communicating. Are you speaking of language
16 problems?

17 THE WITNESS: Yes.

18 THE COURT: Okay.

19 THE WITNESS: It was in regards to language.

20 THE COURT: Not a personality problem?

21 THE WITNESS: No, there were no personality issues.
22 It was in regards to language. But that did not deter me
23 from meeting with Dr. Wu. It just wasn't my practice.

24 The university is very large. We have many
25 schools. I work in the central HR department. We have

1 people in the schools that look into personnel issues. So,
2 it wouldn't have been my practice in any school to go meet
3 with that person unless it was, you know, necessary or if
4 Greg Wacker couldn't do it and he asked me to do it, then,
5 yes, I would have met with Dr. Wu.

6 BY MS. MATTIACCI:

7 Q Okay. But, again, Mr. Wacker, he is the same level as
8 Dr. Wu, correct?

9 A I wouldn't -- I mean, Greg Wacker, I believe, is the
10 vice-dean for CST, so --

11 Q Well, he is now, but at that time, he was the same level
12 as Dr. Wacker [sic], reporting in to Michael Klein, correct,
13 the dean?

14 A They both reported to Michael Klein, yes.

15 Q And he was not in the Human Resources Department,
16 correct?

17 A He was not.

18 Q And he was not in the Equal Opportunity Compliance
19 Department, correct?

20 A He was not.

21 Q And his function there, he was not supervising Ms.
22 Briggs, correct?

23 A He was not supervising Ms. Briggs.

24 Q And you don't know if he had interviewed all of the
25 relevant witnesses to that complaint, correct?

1 A I don't know specifically. I know that when he got back
2 to me, he said he went to the department. He talked to the
3 individuals that were there and he talked to Dr. Wu.

4 Q But you didn't get anything in writing summarizing any
5 of this, correct?

6 A From my memory, no. He may have sent me an email, but I
7 don't remember. He and I usually communicated by phone.
8 When he would call me about specific situations, I would ask
9 him to look into it and he would call me back and let me
10 know, this is what I found, this is what happened. And, you
11 know, usually, he either called me -- he could me or he
12 emailed me. In this case, I believe he emailed me -- I mean,
13 he called me, I'm sorry.

14 Q You had heard that Dr. Wu had yelled at graduate
15 students often in Chinese, correct?

16 A I believe so, yes.

17 Q But you never went to investigate his conduct in the
18 office, correct?

19 A No, I did not.

20 Q And is it true that you asked Greg and Drew to talk to
21 Dr. Wu about the way that he conducted himself in the office
22 and yelling?

23 A I asked Greg and Drew to look into the complaints.

24 Q Okay. And did they do that?

25 A Yes, they did.

1 Q And did they -- is any of this documented in any emails,
2 notes to the file or anything?

3 A It may be. It may be or may -- you know, many times,
4 our conversations were over the phone or I may have sent them
5 an email and they may have replied back to my email, so there
6 might be documentation, yes.

7 Q Was there any disciplinary action issued against Dr. Wu
8 for his yelling at the students?

9 A No, not that I know of.

10 Q Why not?

11 A I don't know.

12 Q But you're saying that Mr. Wacker did speak to Dr. Wu
13 about the complaints about him screaming at his students?

14 A My understanding is that Greg Wacker and Drew had a
15 conversation. This complaint was relayed to me. When they
16 came back to me, my understanding was that they looked into
17 it and they talked to Dr. Wu about it.

18 I don't know if any -- you know, they may have talked to
19 the vice-dean at the time that Dr. Wu reported into, but from
20 my memory, I don't recall what took place with Dr. Wu.

21 Q Okay. Now, after the November write-up that we went
22 over in which there's no documentation as to why it was
23 issued, there was another disciplinary action issued a year
24 and four months later, do you recall that, in March of 2013?

25 A A discipline to Ruth Briggs?

1 Q Yes.

2 A What was the date again?

3 Q Well, the first one was November of 2011.

4 A Okay.

5 Q All of 2012 went by and there were no disciplinary
6 write-ups. Do you recall that?

7 A Okay.

8 Q And then in March of 2013, there was a disciplinary
9 write-up of Ms. Briggs. Do you recall that?

10 A Yes, I do.

11 Q And what were the circumstances of that?

12 A From memory, I don't -- unless I have it in front of me
13 -- I think there was a write-up before the March write-up.

14 Q Let's take a look. P-16 -- it's the trial binder --
15 it's 16, there.

16 MS. MATTIACCI: Okay. May we publish that?

17 BY MS. MATTIACCI:

18 Q Okay. Do you see this March 25th, 2013, in which Ruth
19 Briggs received three days of suspension without pay?

20 A Yes, I do.

21 Q And it said neglecting job duties or responsibilities or
22 failing to carry out instructions given by a supervisor?

23 A Yes.

24 Q And do you know why she got this?

25 A My understanding is she was issued this discipline

1 because she neglected to arrange for travel for a visiting
2 candidate for a faculty position.

3 Q Okay. Now you said that you believed that there was one
4 before this, in between the November 2011 and 2013, over, you
5 know, that whole year-and-five-month period of time. Do you
6 -- can you recall what that is? Because I don't -- we don't
7 have any disciplinary actions for that time.

8 A I thought there was a discipline earlier in this year,
9 where -- from my memory, Ms. Briggs failed to report to work.
10 It was an attendance issue.

11 Q Okay. That was in January of 2014.

12 A Okay.

13 Q I can just --

14 A My --

15 Q -- let you know.

16

17 A Then it was my mistake, yeah.

18 Q Okay. So then there is no other disciplinary action
19 between November of 2011 and March of 2013.

20 A Yes. Correct.

21 Q Looking at this three-day suspension with pay -- without
22 pay -- I'm sorry -- without pay, can you recall any other
23 employee being disciplined for three days of suspension
24 without pay?

25 A Yes.

1 Q For what kind of infraction?

2 A For C infractions, neglect -- for the same thing,
3 neglecting job duties and responsibilities. We have
4 suspended employees without pay for that violation.

5 Q You understand that this was a mistake that she made,
6 that she owed up to the same day?

7 A I'm not sure if she owned up the same day, but yeah, she
8 did own up to it. But she felt that it was a simple mistake,
9 you know, that it -- that it wasn't serious, and it was a
10 serious error on her part.

11 Q So, at Temple, if you make an error, and you say that
12 you made the error, you get a three-day suspension without
13 pay. That's the policy?

14 A No, it depends on the error, and if the error was a
15 pretty drastic one. In light of the fact that this was --
16 the candidate that was visiting was waiting to travel to
17 Philadelphia to interview for this position. He was very --
18 a candidate that the University was looking to have come
19 here, he was very prestigious. And he decided not to come
20 because travel arrangements were never made for him. He
21 never received any communication from Ms. Briggs.

22 Q So you did -- he never received any communications from
23 Ms. Briggs? Did you learn this during your investigation?

24 A What I learned -- and again, Greg Wacker is the one that
25 came to me, after Dr. Wu went to him with the facts of what

1 took place, that it was her responsibility to arrange for the
2 travel for this visiting candidate. And she may have
3 contacted him early on, but there was no contact on the day
4 of travel, there was no arrangements made for him, he did not
5 know. And we lost that candidate, he never came.

6 Q Ms. Walton, do -- are you the HR person that approved
7 this three-day suspension without pay?

8 A Yes, I am.

9 Q Was it possible to give her a one-day suspension?

10 A Not in regards to our rules of conduct. So the rules of
11 conduct at the University, a C violation calls for a three-
12 day suspension.

13 Q So this couldn't have been a B violation or an A
14 violation?

15 A Well, an A violation, in our rules of conduct, is only
16 for attendance. And a B violation that I think could have
17 been -- you know, that -- if we had chose to do a B
18 violation, it would have been for inefficiency, and I don't
19 think it rose to the level of inefficiency. It was neglect
20 and carelessness because this person never came, and we lost
21 that candidate.

22 Q So you're saying that one C violation is a mandatory
23 three-day suspension.

24 A Yes.

25 Q I hate to do this, but I got to show you the rules of

1 conduct. And that's D-5, in the other binder.

2 MS. SATINSKY: Counsel, this hasn't been admitted
3 yet.

4 (Participants confer)

5 BY MS. MATTIACCI:

6 Q Oh, I'm sorry. We can look at P-65, which has already
7 been admitted. If not, I can go through the -- if you can
8 look at P-65 --

9 THE COURT: Well, just get to it as fast as you
10 can.

11 MS. MATTIACCI: Okay.

12 THE COURT: We have to move it along here.

13 MS. MATTIACCI: All right. No, I can -- I can just
14 address this in closing, Your Honor.

15 THE COURT: You can do what?

16 MS. MATTIACCI: I can address the discrepancy in
17 closing. I can move on from this topic.

18 THE COURT: All right.

19 BY MS. MATTIACCI:

20 Q All right. Let me get to some emails here. P-6. So
21 we're going to go to the plaintiff's binder, P-6.

22 Now, at some point in time, you -- Ms. Briggs spoke to
23 Sandy Foehl about her claims of discrimination and
24 retaliation, correct?

25 A That's my understanding, yes.

1 Q And after Ms. Foehl received that complaint, she reached
2 out to you, to get information on Ms. Briggs. Isn't that
3 correct?

4 A Yes, she did.

5 Q Okay. And I'm showing you an email that has been marked
6 as P-6. It's dated August 3rd, 2012. Do you see that?

7 A Yes, I do.

8 Q And she says -- this is from Sandy Foehl? Sorry. I'm
9 trying to get this out.

10 (Participants confer)

11 MS. MATTIACCI: Oh, Your Honor, may I move for the
12 admission of P-6.

13 THE COURT: You may.

14 MS. MATTIACCI: I thought they already stipulated.

15 MS. SATINSKY: No objection, Your Honor.

16 THE COURT: It's admitted.

17 MS. MATTIACCI: Okay. May I publish, Your Honor?

18 THE COURT: It is admitted.

19 MS. MATTIACCI: Yep.

20 (P-6 received in evidence)

21 BY MS. MATTIACCI:

22 Q Okay. This email says from Sandy to you and Eric. Who
23 is Eric?

24 A Eric Brunner is our Assistant Vice President for
25 Organizational Development --

1 Q Okay.

2 A -- and Training.

3 Q So she asks you:

4 "Do you have" -- "do either of you have some
5 history with Ruth Briggs in the College of Science
6 and Technology, especially since her assignment to
7 the Department of Computer Information Sciences.
8 If so, will you share?"

9 So she was looking for information about Ruth Briggs,
10 after she brought the claim of discrimination, correct?

11 A And to be honest with you, I don't know what the claim
12 was to Sandra Foehl.

13 Q Okay. Did you respond to this?

14 A I'm sure I did.

15 Q Did you respond by email?

16 A From memory, I don't know. Usually, when Sandy reaches
17 out to -- Sandra Foehl reaches out to me for information
18 regarding employees, I, many times, will pick up the phone
19 and call her, and give her what my experience has been with
20 the employee, or I will reply by email. I don't remember
21 what I did here.

22 Q Okay. One question I forgot to ask you in the
23 beginning. There was some testimony this morning about
24 performance reviews. Does Human Resources retain a copy of
25 the performance reviews?

1 A Yes, we do.

2 Q And when litigation commences, and there's a request for
3 documents, do you gather those documents to give them to the
4 attorneys for production?

5 A I don't gather them. They usually will contact Eric
6 Brunner to get those documents.

7 Q Okay. The 2010 performance review of Ms. Briggs is
8 missing. Do you know if it's in the Human Resources Offices
9 of Temple?

10 A I don't.

11 Q Okay. I'm sorry.

12 All right. Let's take a look at P-9.

13 MS. MATTIACCI: Your Honor, this is --

14 (Participants confer)

15 MS. MATTIACCI: P-9 is already in evidence. I'm
16 going to blow it up for the jury. This is the one in which
17 Ruth Briggs sends to Sandy on February 8th, 2013:

18 "I'm so bullied and harassed every day. Every
19 morning, I must meet with my direct supervisor and
20 Greg Wacker's assistant, Drew DiMeo, for a staff
21 meeting, to discuss my failure to comply with the
22 directive that prohibits any work activity that has
23 not been approved by my supervisor, all of which
24 are related to performing daily functions in the
25 office, such as answering questions from students

1 or visitors in the building, and threat of
2 discipline for assisting a visitor."

3 (Participants confer)

4 MS. MATTIACCI: Sorry.

5 BY MS. MATTIACCI:

6 Q And then you respond back to her email ...

7 (Participants confer)

8 Q I'm sorry. Sandy responds back to the email:

9 "Ruth, this is an issue for Human Resources first.

10 Address the situation and your concerns to Deirdre

11 Walton in Labor and Employee Relations. Sandy."

12 And then Sandy sends this email to you and says:

13 "Deirdre, I don't see a claim of unlawful

14 discrimination/harassment in Ruth Briggs' message.

15 It appears to be a matter of performance

16 development/correction for Human Resources review.

17 Please let me or Tracy know if a complaint for EEOC

18 is raised with you. Sandy."

19 Do you see that?

20 A Yes, I do.

21 Q So it was passed to you on an evaluation that Ms. Foehl
22 did, without any investigation into the email, correct?

23 A In regards to Ms. Foehl?

24 Q Ms. Foehl is evaluating Ms. Briggs' email, and
25 determining, based upon the email alone, that she doesn't see

1 a claim for unlawful discrimination and harassment, correct?

2 A Yes.

3 Q She didn't interview Ms. Briggs to get information about
4 the email, correct?

5 A From my understanding, I don't -- I'm not sure if she
6 interviewed her or not. I -- if you're going from the email,
7 I think she's looking at what Ms. Briggs wrote, and
8 ascertaining that it wasn't for their office to handle.

9 Q This is after Ms. Briggs has already brought claims of
10 discrimination for age and sex discrimination, correct?

11 A I don't know if she did or not.

12 Q Well, we already talked about the offending comment made
13 to her by Dr. Wu, in which you received that complaint, you
14 passed it to Mr. Wacker. So this is postdating that,
15 correct?

16 A Again, I'm not sure of the -- as we discussed earlier,
17 I'm not sure of the date that Ms. Briggs relayed that
18 conversation to me with Dr. Wu. So I'm not sure of that
19 date. I -- I do know that she relayed that conversation. I
20 do know I talked to Greg Wacker about it. I'm not sure of
21 the date. So I can't say that it was before this date that
22 Sandra Foehl sent this email to me.

23 Q The information contained in this email, you did -- you
24 then relayed it to Mr. Wacker?

25 A I think I -- I spoke to Mr. Wacker about it, but what I

1 believe was going on here, when --

2 Q My question was simply: Did you relay it to Mr. Wacker?

3 A I don't remember if I did or not. I may not have.

4 Q Okay. So you may not have done anything with it.

5 A I don't remember. I don't remember if I did or not.

6 Q Okay. Let's go to P-16. And this is just a month
7 later, after she sent that email, saying that she was feeling
8 harassed and hostile -- harassed every day, or all day. This
9 is a writeup that she was given on 3/26/2013. Can you see
10 that?

11 A Yes, I do.

12 Q And this was the three days without pay, suspension,
13 right after she had sent the email saying that she feels
14 harassed all day, correct?

15 A Yes.

16 Q Okay. Let's go to P-17. This is an email that was sent
17 to you by Ruth Briggs, dated April 8th, 2013, correct?

18 A Yes.

19 Q Okay. And is this the email that you were referring to
20 before, in which she reached out to you, complaining about
21 the severity of the three-day-without-pay suspension?

22 A Yes.

23 Q She says, "I was surprised by the severity of the
24 discipline," right?

25 A (No verbal response)

1 Q And she says that the complaint that Dr. Kwatny does not
2 mention the other -- she said that she took ownership of the
3 error, for which she expected a verbal discipline. Do you
4 see that?

5 A Yes.

6 Q Okay. And at the end, at the bottom, she says, "The
7 punishment does not fit the crime." Oh, sorry.

8 "The punishment does not fit the crime, and I will
9 leave a terrible legacy on my service on the
10 University at the age of 58. I am defending my
11 honor."

12 Do you see that?

13 A Yes, I do.

14 Q Okay. Did you do anything in response to that email?

15 A Yeah, I'm -- yes, I did. I talked -- one, I did -- I
16 picked up the phone, and I did talk to Ms. Briggs about this
17 situation, why, you know, the severity was issued, why it was
18 issued at a C level, and why it was so severe because of the
19 situation.

20 Q Uh-huh.

21 A And I talked to her about it. But in regards to
22 reaching out to anyone else, I just talked to Ms. Briggs
23 about why we decided to do that discipline.

24 Q And did you think that she was -- she was trying to make
25 it work?

1 A I believe that Ms. Briggs was well meaning and wanted to
2 do well in the Department. But she continued to make many
3 errors, and -- and this was one of them. You know? Where
4 she just neglected her job responsibility.

5 Q Okay. The mistake that she made with booking the
6 flight, that's one. What other -- what are all these other
7 errors? Because there's only two other writeups after this.

8 A So there was a history that's not documented with Ms.
9 Briggs, where she made many errors in the Department, in the
10 CIS Department, but also when she worked in the Dean's
11 Office. So the Department, you know, they liked Ms. Briggs,
12 she was a very nice lady. They didn't want to see her lose
13 her job. And so, many times, they didn't document many of
14 the errors that she was making, and they tried to find work
15 for her that would suit her skills.

16 Q So her -- these errors are so severe that led to her
17 termination, but they're not documented.

18 A They didn't lead to her termination, but they -- but
19 they did get the management to the point where they had to
20 start documenting, and that's what they did.

21 Q Okay. So the undocumented errors that you're talking
22 about did not lead to her termination.

23 A They didn't lead to her termination, but they did lead
24 to where there was frustration in the Department, there was
25 frustration with Dr. Wu. And you know, Dr. Wu complained to

1 the Dean's Office frequently and -- about the errors. And
2 so, because of those errors that aren't documented, they felt
3 like we had to start documenting when she made errors.

4 Q I -- and I want to know: What are those errors that led
5 to her termination? Because we only have four, and they're
6 very minimal. So what other --

7 A Well, the --

8 Q -- errors?

9 MR. HARRIS: Your Honor, I'm just going to object
10 to that term of being minimal. I think that's up to the jury
11 to determine.

12 THE COURT: Objection --

13 MS. MATTIACCI: I'll rephrase, Your Honor --

14 THE COURT: Objection -- pardon?

15 MS. MATTIACCI: I'm sorry. I'll rephrase that
16 question.

17 THE COURT: Yep. Yeah.

18 MS. MATTIACCI: I'm just trying to cut to the
19 chase.

20 THE COURT: Oh, we're in favor of that.

21 MS. MATTIACCI: I know.

22 (Laughter)

23 THE COURT: But it's about 20 after 4 now --

24 MS. MATTIACCI: Okay.

25 THE COURT: -- and I'm going to let the jury go

1 until 9:30 tomorrow morning. I'm going to talk to counsel a
2 little bit after you leave. Again, don't discuss it with
3 anybody at home. The danger always is that they'll know
4 something about the law on the subject. And as I said, it's
5 important that everything you know about this, you find out
6 in this courtroom. So the jury is excused until 9:30
7 tomorrow morning.

8 THE COURT OFFICER: All rise.

9 THE COURT: You may step down.

10 THE WITNESS: Okay.

11 (Jury excused at 4:18 p.m.)

12 THE COURT: Okay. You may be seated.

13 I just wanted to know: Where do we stand?

14 MS. MATTIACCI: We -- Your Honor, we only have one
15 other witness.

16 THE COURT: All right.

17 MS. MATTIACCI: And then we will close our case.

18 THE COURT: Who is the other?

19 MS. MATTIACCI: It's Sandy Foehl, who is the other
20 EEOC person.

21 THE COURT: Okay. And how many witnesses do you
22 have?

23 MR. HARRIS: Your Honor, as of right now, we're
24 going to be calling Drew DiMeco. We'll probably call Greg
25 Wacker for a limited purpose, and possible Dr. We, again, for

1 the limited purpose --

2 THE COURT: Okay.

3 MR. HARRIS: -- that we discussed earlier.

4 THE COURT: All right. I just wanted to get an
5 idea. We might finish this week?

6 MS. MATTIACCI: I think, absolutely, Your Honor.
7 This went a little slower this afternoon than I anticipated.
8 I'll be very prepared tomorrow morning --

9 THE COURT: Yeah, I'd really --

10 MS. MATTIACCI: -- to try to get through it.

11 THE COURT: I would like to get -- you know, I
12 don't want to hurry anybody, but -- if it's going to mean not
13 doing your job. But it would be important to get to finish
14 Friday, if we can.

15 MS. MATTIACCI: Yeah, I think that's absolutely
16 within the realm.

17 MR. HARRIS: We're going to be short; the defense
18 witnesses are going to be really short.

19 THE COURT: Okay.

20 MR. HARRIS: So I don't anticipate that being a
21 problem.

22 THE COURT: All right. Tomorrow morning at 9:30.

23 MS. MATTIACCI: Okay.

24 MR. HARRIS: Judge, may I? I just have one issue
25 that we discussed previously that I want to raise to the

1 Court before we present our case. There was discussion about
2 Dr. Briggs' [sic] evaluation with the neuropsychologist.
3 Under Rule 803, in our case-in-chief, I wish to move that in
4 as a business record exception for -- just for the limited
5 purposes that I mentioned before, but -- so it's not going to
6 be used for impeachment purposes, but based on the business
7 record exception.

8 THE COURT: All right. I'll think about --

9 MR. HARRIS: Thank you.

10 THE COURT: -- if it qualifies.

11 MR. HARRIS: Thank you.

12 THE COURT: You can think about it, too.

13 MS. MATTIACCI: Thank you.

14 THE COURT: All right. All right. Tomorrow
15 morning at 9:30.

16 MS. SATINSKY: Thank you, Your Honor.

17 THE COURT OFFICER: All rise.

18 (Proceedings adjourned to 7/18/18)

19 (Concluded at 4:20 p.m.)

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CERTIFICATION

We certify that the foregoing is a correct transcript from the electronic sound recording of the proceedings in the above-entitled matter to the best of our knowledge and ability.

Transcriptionists: William J. Garling and Coleen Rand

A handwritten signature in cursive script, appearing to read "Coleen Rand", is written over the printed name.

July 16, 2018

Coleen Rand, AAERT Cert. No. 341

Certified Court Transcriptionist

For Advanced Transcription

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